



OFFICIAL PLAN OF THE TOWNSHIP OF ARMSTRONG

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**TOWNSHIP OF ARMSTRONG
35 – 10TH STREET
EARLTON, ONTARIO
P0J 1E0**

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PART I: BASIS OF THE OFFICIAL PLAN

1.0 INTRODUCTION

The Township of Armstrong was first settled in the late 1800s and was officially incorporated in 1921. Armstrong served as a mostly agricultural community, with some emphasis on industrial development. Its population, though small, grew fairly consistently from its settlement until the early 1980s. Agriculture and industry continue to be important economic drivers of the community today. Since the 1980s, the population had seen a declining trend, as was common with most smaller rural Northern Ontario municipalities. However, the beginning of the 21st century has shown a slight increase in population. The area is also known as "The Clay Belt" due to the approximately 600 square km. glacial deposit of fertile farmland in the middle of the Precambrian Shield. The area is famous for many first-class dairy, beef, and crop farm operations.

Some mineral exploration has also occurred in Armstrong, with a limestone quarry in operation in the 1920s and small amounts of copper iron sulphite discovered in the Nipissing Diabase in the 1950s. The area is rich in mineral deposits, which is expected to be an untapped resource.

Armstrong was, and continues to be, situated along the main highway and a rail line, and owns and operates the Earleton-Timiskaming Regional Airport (ETRA). These transportation modes are important transportation links serving all Timiskaming communities and surrounding areas, permitting these areas to connect to and access the business communities in Timiskaming to regional, national and international markets and clientèle.

Armstrong is known for its strong agricultural market and is also host to numerous manufacturing industries and specialized service companies, not to mention its fairs. The Official Plan is but one tool to assist the Township in becoming recognized as a leader in growing, expanding, and creating local value-added businesses that utilize local assets.

1.1 Purpose of the Official Plan

The Township of Armstrong Official Plan (OP) is an essential planning document that is designed to manage future growth, development and change in the Township. This Official Plan provides a framework that will guide land use decisions within the Township's boundaries for the next 20 years. Because decisions that implement growth and development have long lasting impacts, it is incumbent on everyone to ensure that those decisions reflect community values and will result in a more livable community that is economically and environmentally sustainable.

The purpose of the Official Plan is to establish goals, objectives, and policies to manage and direct physical change and its effects on the social, economic, and natural environment for the 20-year planning period. The goal is to formulate policies that are easy to interpret and more efficient in application.

The Plan was prepared to assist both the public and private sectors' decision-making in land use matters. Local boards and municipal departments, together with various levels of government, may use the Plan to identify public undertakings that will be required and assign appropriate budgets, as well as timing and location of priorities to such undertakings. The Council will also be better able to assess proposals brought before it.

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The private sector, by being informed of Council's intent, may make decisions in the context of known policies. In addition, this Plan will provide a basis for zoning and other issue specific by-laws that Council will enact to regulate the development of land.

This Plan directs those proposing development activity to consult with the Township and other authorities, such as Health Units, utilities, and pipelines, on an early basis to ensure their concerns have been discussed and resolved prior to the submission of a development application. It shall be Council's function to assist applicants with determining those agencies, etc. to be contacted through the holding of early consultations and/or reviews on each application.

1.2 Legislative Context

The Official Plan is a policy document - it is not regulation. However, it is a legal document and the policies in this Plan have a basis in the *Planning Act*. There is, therefore, a need for all decision-making authorities to ensure that any by-laws, permits, and authorizations they issue will conform to the intent and direction provided by the policies of this Official Plan.

The *Planning Act* requires that Armstrong prepare and adopt an Official Plan that covers the full extent of its territory. The *Planning Act* also identifies matters of provincial interest, which are further defined by the Provincial Policy Statement (PPS). The Township's Official Plan must be consistent with the policies in this Statement. The Official Plan was reviewed and adopted in conformity with the requirements of the *Planning Act* and the content of the Plan is consistent with the 2014 PPS issued under Section 3 of the *Planning Act*, which came into effect on April 30, 2014.

The PPS includes definitions of numerous significant terms used in its policies. These definitions will apply to instances in this Plan where the same terms are used, for instance in reference to "development", "adjacent lands", or "sensitive land uses", among others. Where this Plan employs a different meaning for a term defined in the PPS, this will be specifically identified in the text of the Plan.

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 the Northern Ontario economy.

This Official Plan was prepared by the Township of Armstrong in partnership with the residents of the Township, its community organizations, the provincial government and its agencies. As such, the policies of the Official Plan represent a balance of interests and points of view.

1.3 Planning Period

The Township of Armstrong Official Plan is intended to guide land use for a 20-year period, i.e., until the year 2037.

1.4 Basis of the Plan

In preparing this Plan, a number of planning studies of the Township were undertaken or reviewed, and various government departments, ministries, and First Nations were consulted to

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discuss their policy objectives. These were reviewed in the context of factors which affect the type, location, and rate of development, as well as land use changes. The studies examined the Township's capability to sustain or accommodate potential changes. These findings were used as a basis for the policies and schedules contained in this Plan and are summarized as follows:

1. Continuing Predominance of Agriculture

The Township is rural in nature and it is expected to remain so during the life of this Plan, therefore, agriculture will continue to play a major role in its economy. The ratio of farm population relative to non-farm population will continue to decline, however, it is not expected that current agricultural production or acreage of farmland will be significantly altered during the Planning Period.

2. Importance of Economic Development

Although economic development can take many forms, plans to strengthen the economy of the Township need to be supported by the community and be based from within the community. To achieve the vision established in the Township's Economic Development Plan, the Township needs to be recognized as a leader in growing, expanding, and creating local value-added businesses that utilize local assets.

3. Importance of Municipal Leadership

Council shall take the leadership in planning and implementation of improvements within the Township. It shall undertake a logical, orderly, and economic approach for development to encourage residents and entrepreneurs to expand and/or create new opportunities within the Township.

4. Financial Control

It shall be Council's responsibility to control municipal expenses by limiting development that would place a financial burden on the Township, and to plan and implement municipal services and facility improvements within the Corporation's financial capabilities and priority ranking.

5. Environmental Protection

All development must recognize the need to protect, maintain, and/or improve identified significant environmental features and areas including water quality and quantity. As well, new development must recognize the presence of the various types of potential hazards and plan in harmony with them to ensure land use compatibility. Development will generally occur where careful examination of servicing arrangements, which includes water, sewage disposal, and storm drainage, is provided.

6. Influence of Tri-Town Communities

It is important to support local commercial and employment opportunities within the Township especially those which are complementary to the Tri-Town communities. As the Village of Earlton continues to grow there will be an increased demand for retail and service-related operations. Locating these operations within the Township of Armstrong

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will support the local economy and maintain the Township's competitiveness within the region.

The area is rich in mineral deposits. This untapped resource has the potential for economic development that would extend beyond the Township boundaries.

The Earlton-Timiskaming Regional Airport (ETRA) is an important transportation mode serving all Timiskaming communities and surrounding areas, permitting these areas to connect to and access the business communities in Timiskaming to regional, national and international markets and clientèle.

Armstrong is known for its strong agricultural market and is also host to numerous manufacturing industries and specialized service companies, not to mention its fairs. Agriculture areas will permit many forms of agricultural uses, secondary uses, and agriculture-related uses on lands designated as Agriculture, in order to take advantage of its proximity to urban areas and markets.

The Official Plan will continue to seek opportunities to benefit from its proximity to the Tri-Town communities, which will assist the Township in becoming recognized as a leader in growing, expanding, and creating local value-added businesses that utilize local assets.

1.5 Principles of the Plan

The Plan is based on the premise that Armstrong will continue to encompass a broad range of land uses, including agriculture, mining, manufacturing, and commercial, as well as permanent and seasonal residential uses in urban and rural locales.

The Township shall continue to create a hospitable economic environment with sustainable employment opportunities in a planned, financially sound community that recognizes its valued assets.

The basic intent of this Plan is to develop a strategy to manage both new development and resources of the area for the continued use and enjoyment by both residents and visitors. The Official Plan is one tool in which to implement the strategic directions and key objectives of the *Township of Armstrong Economic Development Plan*. To achieve the vision established in the Township's *Economic Development Plan*, the Township needs to be recognized as a leader in growing, expanding, and creating local value-added businesses that utilize local assets.

A strategic and proactive Official Plan will help to achieve the Township's goals, and will help the Township in guiding and assessing proposed land use changes. This Plan establishes a framework within which Council can demonstrate their commitment to the logical development of the community and to assess the merits of proposals for development, exercise their powers to pass Zoning By-laws, and evaluate consents for conveyance of land. Flexibility has been built into the policies of this Plan to allow some freedom of interpretation when making decisions on land use matters that reflect the needs of the community.

This Plan seeks to optimize the use of existing and new services and facilities, to protect and rehabilitate the natural heritage of the area including water quality and quantity, to take full

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advantage of its opportunities for sustainable economic development, and to promote a healthy community, while maintaining a strong financial position for the Township and ensure land use compatibility.

While limited population growth is anticipated over the planning period, this Plan encourages the provision of choice and flexibility in land use, subject to good planning principles.

1.5.1 Future of Armstrong

The Township will strive to be recognized as a leader in growing, expanding, and creating local value-added businesses that utilize local assets. This Plan is formulated on the premise that Armstrong will continue to change and attract new families and businesses that will maintain population and economic growth. The Township will plan to accommodate change through the efficient use of land and services.

The Township will continue to be a vibrant and exciting place to live, work, and visit. It will provide a wide range of housing and will be a place for those persons of retirement age seeking an alternative to urban life.

The Township, as envisaged, will continue to have the social and cultural values that have evolved through time; a community spirit, a sense of belonging, a tradition of self-reliance, social responsibility, sharing, neighbourliness, and an appreciation of heritage and culture. This quality of life will have been preserved through new economic opportunities.

1.5.2 Environmental Resources

To ensure a sustainable future, the Township is committed to conserving natural resources through sound stewardship and best management practices.

There are natural resources in the area that play a key role in the economic base of the Township. These natural resources consist of lands with prime agricultural soils and mineral potential. Armstrong's future is dependent primarily on the future of the local value-added businesses that utilize local assets, i.e., agriculture, minerals. The extent and rate of the Township's growth will be a function of growth in the region, the sensitive management of the resources, and the prosperity of its primary industries. The management and preservation of the Township's natural resources will play a prominent role in the evolution of the community.

Prime agricultural soils, fisheries, wildlife habitat, water resources and aggregate reserves will be managed and protected, since these natural heritage features, constraints, resources, and attractions are an important part of what makes the Township special and unique.

The policies of the Plan recognize that there are lands within the Township that are prone to periodic flooding and/or are otherwise unsuitable for development. Policies also recognize the potential for unstable slopes where development should be regulated to provide for a safe environment if the area is to be developed. The Plan contains policies to ensure that development within these areas is prohibited to avoid potential hazards or any further impact.

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1.5.3 Growth Forecast

Growth forecasts are necessary for the planning and timing of land development, infrastructure expansion and the provision of public services and facilities.

The forecast and land requirements to accommodate change over the planning period (2017-2037) are taken from the 2010 Land Needs Background Study. The growth forecast projects the population to remain fairly constant at around 1,200 persons. In terms of household growth, the projected number of households is expected to average 1.2 new household starts per year.

The Township will maintain an adequate supply of land designated and available for urban growth to accommodate its projected residential and employment growth requirements. The Plan is based on the concept that the existing level and pattern of development in the Township will remain substantially the same over the period of the Plan.

Due to the anticipated low level of growth in the long term, the Plan concentrates on policies that support and suggest improvements to existing neighbourhoods, facilities, and services in the shorter term.

Demand for choice and flexibility in housing and employment opportunities will be accommodated in the following ways:

- i) Intensification of land use in existing settlement areas involving infill, redevelopment and the conversion of existing buildings. Council will promote opportunities for redevelopment and intensification through the provision of adequate infrastructure and community facilities and through the reuse of brownfield sites; and
- ii) Development of vacant lands within the general limits of the existing urban area on full municipal services.

1.5.4 Settlement Patterns

The urban area shown on Schedule "A" defines the settlement area boundary of the Village of Earleton, the only settlement area within the Township. The settlement area includes the built-up area as well as undeveloped lands.

The Township of Armstrong will provide a mix of housing opportunities, including affordable housing, and will continue to be a centre for residences, commerce, and services. New residential construction in the 20-year planning period is expected to be minimal. The goal is to provide opportunities for a range of housing types such that choice is available to residents.

The Township will actively encourage desirable commercial and industrial development in appropriate areas to complement residential development and contribute to the development of a complete community.

Redevelopment activities in the Township will result in the ongoing restoration of the historic building stock and there will be more emphasis on architecturally blending the "new" to reflect the "old" when developing new projects where such is merited. The Township will encourage

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affordable housing initiatives and redevelopment of brownfield sites. New settlement in the Township will be planned to avoid future servicing expansions.

Low density housing is expected to continue to account for the majority of housing completions. Medium density housing types, such as row houses and low-rise apartments, are anticipated to become a more common form of residential development to accommodate changes in the population profile (aging of population) and demand for affordable housing.

It is the intention of the Township to encourage development to take place primarily in the existing built-up area where access is appropriate and the appropriate services are available. A limited amount of development will be permitted to take place within the Rural area provided that it is in accordance with other relevant policies of this Plan. In certain circumstances, the Township may decide to restrict development in particular areas where it is deemed that the proposal may be premature in the context of the overall development of the Township. In determining whether any development is premature, the Township will take into consideration, among other things, such factors as the condition of the existing municipal roads, the amount of previous development activity in the immediate area, the number of undeveloped lots, the significance of the area as a possible resource reserve, accessibility, availability and quality of water, impacts to water resources, land use compatibility, and availability of municipal services.

1.5.5 Economic Development

The Council shall encourage development, which strengthens the municipal economy, promotes the growth of local employment opportunities, and improves the tax base of the Township by encouraging new industry and commerce and the expansion of existing businesses to meet the needs of the Township. Industrial and commercial development requiring minimum services shall be encouraged in appropriate locations, provided that such development is compatible with the environment, nearby land uses, and land capabilities.

Employment opportunities will continue to be provided through a balance of industry, education, tourism, service and light industry, and health care. This development will be directed to areas designated and determined to be best suited for each economic sector. A well-rounded, vibrant community with economic opportunities for people of all ages will be an objective for the Township. Mixed use forms of development will be encouraged where the uses are compatible and provide for opportunities for residents to enjoy the benefits of a range of housing and services.

The Township will foster a climate for innovative economic opportunities with cooperation among members of the community and all levels of government. In addition to attempting to attract new commerce and industry and new residents, the Township will encourage the retention and expansion of existing businesses as an important generator of local employment, and will support the development of businesses, development, and both redevelopment and reuse that makes use of 'green' technology.

The Township will seek to retain its resident labour force by ensuring a diversified economic base. While its economy, like that of all municipalities, is influenced by the many factors beyond its control, such as the global economy, interest and exchange rates, fuel costs, federal and provincial taxation, regulation, and trade policies, it does have key areas in which commitment and action are required to remain competitive:

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1. Residential Marketing: leverage the Township's existing infrastructure, recreation and health facilities to maintain population and encourage growth through marketing Armstrong for residential relocation to and within Northern Ontario. Focus on people who are retiring, but still active (55-65 years old), and young families (parents or couples aged 30-45 years old).
2. Retirement Living: The aging population is the largest demographic in the world. More and more people are looking to relocate for retirement. Wait lists exist for retirement homes within the regional market area. There is an opportunity to capitalize on this demographic and develop apartments, townhouses, condominiums, and retirement homes in Armstrong in response to demand.
3. Business Attraction: Over the past few years, Armstrong has attracted NOR-ARC Steel Fabricators, air ambulance service from the Airport, and several agricultural related businesses and services. More opportunities exist to attract new commercial business to service the regional market area due to its location (airport, highway, etc.) and availability of affordable fully-serviced industrial and commercial properties.

1.5.6 Tourism

The Township will recognize opportunities to provide for sustainable tourism development, including eco-tourism. Tourism will also be promoted, where appropriate, by assisting private efforts to improve and increase the range of tourist services and facilities, including walking, cycling, golfing, skiing, and snowmobile trails, which will help service the leisure needs of the tourists and residents of the Township.

1.5.7 Commerce and Industry

The Downtown and Highway Commercial area along 10th Street and 10th Avenue will continue to function as the commercial area. Community Improvement Policies have been included to assist in the revitalization of the Downtown area, which has the potential to play an important role in attracting tourists and area residents to the Township. The commercial service sector, comprised of community, business, industry, and personal services, will be encouraged to expand and diversify.

1.5.8 A Healthy Community

The Township will be a healthy community that strives for a high quality of life for all of its citizens. The Township will be an attractive location for families and individuals, of all ages, backgrounds, and abilities, offering a high quality of life for all those who live here. The mental and physical health of the Township's residents will depend upon the effective delivery of:

- a. professional health care services (i.e., medical doctors, optometrists, dentists, emergency care);
- b. affordable housing (rental and ownership) for people of all ages and levels of independence (single detached homes, multiple residential, home sharing, nursing homes, homes for the aged, etc.);

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- c. health and community services, including those that rely greatly on the efforts and donations of volunteers from within the community (i.e., meals on wheels, home care, etc.);
- d. education that provides skills for healthy living, leadership development, and self-fulfillment, including employment opportunities within the Township;
- e. recreational programs and events that encourage physical activity, social interaction, and an appreciation of the Township's culture and heritage; and
- f. opportunities to experience the natural environment; and
- g. community design which promotes mixed uses, linkages, and active transportation and sustainable mobility, rather than urban sprawl.

1.5.9 Linkages

The transportation, servicing, and communication networks constitute the linkages within which the Township's residents and visitors will live, work, and play. In an effort to reduce our carbon footprint in response to climate change, it will be an ongoing goal to minimize the time, distance, economic, and energy costs of movement for persons, goods, and information.

The St. Jean Baptiste Creek system represents an important natural linkage that contributes to a sustainable environment and important natural habitat. The protection of the former railway corridor, as public lands, should be encouraged in those appropriate circumstances for such potential uses as recreational, communication, utility, and transportation corridors. Individual, private modes of transportation will continue to be relied upon in the future; however, alternative transportation modes will be supported.

The integrity of the existing Provincial and municipal road networks shall be maintained and upgraded, and integrated with cycling and walking routes as much as possible.

Within built-up areas, emphasis will be placed on designing facilities that encourage walking and cycling. Trails for walking, cycling, or other modes of active transportation that connect municipal services, employment lands, existing parks, recreational areas, or other important physical or man-made features will be developed wherever possible.

1.5.10 Energy Conservation and Air Quality

The Township will promote energy conservation and improved air quality by:

- a. initiating, participating, and cooperating in energy conservation and air quality improvement programs, including public education and awareness;
- b. encouraging denser, contiguous development: intensification of existing built-up areas and the efficient use of existing infrastructure;
- c. incorporating energy conservation measures such as passive heating and cooling into site design, and into the design, construction, and renovation of buildings;

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- d. encouraging retrofits for achieving energy efficiency will only be undertaken in a heritage building where it is demonstrated that retrofitting can be accomplished without compromising the heritage integrity of the building;
- e. encouraging the use of walking, bicycling, transit, and carpooling as alternatives to private automobile use;
- f. encouraging the planting of native trees, shrubs, and other ground vegetation;
- g. promoting design and orientation of subdivisions and developments, which maximize the use of alternative or renewable energy systems, such as solar and wind energy, at appropriate locations; and
- h. promoting the design of subdivisions to promote walkability or active transportation.

1.5.11 Water Conservation

The Township will promote conservation by:

- a. initiating, participating, and cooperating in conservation programs, including public education and awareness programs;
- b. encouraging development using the highest building design standards, such as LEED and any related standards;
- c. encouraging the efficient use of existing water/sewerage infrastructure;
- d. encouraging the reuse and multiple uses of treated water, including stormwater;
- e. encouraging the use of bio-filtration and low impact development where feasible; and
- f. encouraging the planting of native trees, shrubs, and other ground vegetation for temperature reduction and infiltration.

1.5.12 Waste Reduction

The Township will support the reduction, reuse, recycling, and recovery of materials from waste by:

- a. initiating, participating, and cooperating in conservation programs, including public education and awareness programs;
- b. encouraging individual developments to provide adequate on-site waste disposal, recycling, and composting facilities, and supporting innovative municipal waste collection and diversion programs; and

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- c. supporting the reduction of waste from construction debris as a result of demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.

1.5.13 Adaptive Design for Climate Change

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

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

1.6 Plan Structure

The Official Plan consists of the following parts:

Part 1: Basis of the Official Plan

The general foundation of the Official Plan policies is presented as a series of principles reflective of the way the Township wants to manage future growth, development, and change in our Township.

PART I: BASIS OF THE OFFICIAL PLAN

Part 2: Land Use Policies

This Section contains the goals, objectives and policies for land use designations covering Living Areas, Employment Areas, Rural Areas, Agriculture, and Parks and Open Space. Policies have been developed to manage and direct physical change and its effects on the social, economic, and natural environment for the 20-year planning period. The goal is to formulate policies that are easy to interpret and more efficient in application. Land use designations are illustrated on Schedules “A” Village of Earlton, Schedule “B” Rural.

Part 3: Protecting the Natural Environment

This Section contains natural environment policies aimed at promoting the sustainability of our natural environment. Protecting Public Health and Safety addresses the various naturally occurring and human-made conditions that can result in risks to human health and safety.

Part 4: Infrastructure and Public Service Facilities

This Section contains policies and programs for the efficient use and development of the infrastructure network, including Transportation and Utilities. The Official Plan and related studies provide a rational framework for making strategic investments and decisions.

Part 5: Development Review and Implementation

Drawing from the legislative framework that governs municipalities in Ontario, various planning tools for implementing the policies and programs of this Plan are set out.

PART II: LAND USE POLICIES

2.0 LIVING AREA

The Living Area designated by this Plan is primarily intended for housing and related uses that are seen as compatible with residential neighbourhoods within the Township. This designation will continue to provide for variety of housing forms and densities within the Township and will accommodate residential growth over the 20-year planning period.

2.1 Goal and Objectives

Goal: Provide a land use policy framework that supports diversity, density, and durability of housing that will contribute to a neighbourhood feel in the urban core and an inclusive, accessible community.

It is the objective of the *Living Area* policies to:

1. meet Armstrong's housing needs, including the special needs of the elderly, handicapped, and low-income individuals and families by encouraging the provision of an adequate supply of affordable ownership, rental, and special needs housing in the Living Area;
2. encourage the development of a mix of residential uses;
3. ensure that a sufficient supply of designated and serviceable land is available to meet existing and future needs;
4. ensure that a variety of complementary and compatible land uses are permitted, including community facilities, small-scale commercial uses, and open space areas;
5. focus residential development in areas that have sufficient infrastructure capacity;
6. promote good community design that provides a balance between the natural environment and urban development; and
7. ensure that any expansion of development outside of urban boundaries is properly managed from an environmental and servicing standpoint.

2.2 Policies

1. Low density and medium density housing is permitted in the Living Area designation where full municipal services are available.
2. New residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building height, and other provisions applied to nearby properties under the Zoning By-law.

PART II: LAND USE POLICIES

3. Parks and Open Space and private home daycare are permitted in the Living Area designation.
4. Bed and breakfast establishments, with up to two (2) accessory guest units per single detached dwelling, are permitted in the Living Area designation. Bed and breakfast establishments larger than two (2) units will require a rezoning and are subject to criteria described in Policy 2 above, to ensure compatibility with existing neighbourhoods.
5. Elementary schools, libraries, places of worship, cemeteries, day nurseries, retirement homes, and other neighbourhood-based institutions form an integral part of community life. Local institutional uses that are compatible with the residential function of neighbourhoods are allowed in the Living Area designation subject to rezoning. Existing institutional uses will be recognized in the Zoning By-law.
6. Home Occupations are permitted in the Living Area designation, provided that the occupation is secondary to the main residential use and does not change the residential character of the property or neighbourhood. The implementing by-law may place limits on the size, location, and proportion of the property and building used as a home occupation, among other matters.
7. Group homes are a residential land use that is permitted in the Living Area designation. .
8. Garden Suites are self-contained independent living units that are ancillary to an existing residential structure and are designed to be portable. Subject to rezoning under the provisions of the Temporary Use By-law Section of this Plan, Garden Suites are permitted in the Living Area designation in accordance with the following conditions:
 - a. A single Garden Suite is allowed as an accessory unit on a lot with only one existing dwelling unit;
 - b. Services shall be connected to the service lines of the host dwelling unit to Township specifications;
 - c. The Garden Suite can be integrated with the prevailing character of the surrounding area, and will be removed at no expense to the Township at the termination of its uses;
 - d. An agreement may be required between the applicant and the Township dealing with such conditions, and the removal of the structure; and
 - e. Mobile homes are not permitted as Garden Suites.
9. Where the Zoning By-law permits a detached, semi-detached dwelling, duplex, or rowhouse, a secondary dwelling unit will also be permitted within the main dwelling unit. Secondary dwelling units are also permitted to be located in an accessory building where there is no secondary dwelling unit in the main residential building. Standards may be established in the Zoning By-law.
10. Small-scale commercial uses that are intended to serve the convenience needs of local residents are permitted in the Living Area by rezoning. Such uses are intended to be

PART II: LAND USE POLICIES

isolated rather than forming a group or cluster that could potentially change the residential character of an area. These uses, which may include confectionary stores, laundromats, and other personal service establishments, are limited to a maximum of 150 m² of floor space per location. Zoning applications for local commercial uses will be reviewed on the basis of general conformity with the following policies:

- a. Access to and traffic generated by the site will not create adverse traffic problems on surrounding roads;
 - b. Lighting and signage are located so as not to create any adverse visual impact on the surrounding residences;
 - c. The use will provide landscaping and buffering in a manner that is in harmony with adjoining and nearby residential properties; and
 - d. The proposed small-scale commercial use must form a 'good fit' with the existing neighbourhood fabric.
11. Council will consider alternative development standards that facilitate affordable housing and compact development. In addition, Council could consider tools such as reduction of parkland dedication or cash-in-lieu requirements or even a reduction and/or waving application fees to achieve its affordable housing goals.
 12. Lot creation in the Living Area is permitted in accordance with minimum lot sizes set out in the Zoning By-law.

2.2.1 Phasing Policies

In order to promote the efficient use of land and achieve the desired land use pattern, phasing policies are established to guide new development. Within the built-up portion of the Township, emphasis will be given to intensification, redevelopment, and infill opportunities.

1. New development will occur adjacent the existing built-up area. Emphasis will be placed on achieving a mix of uses and densities that allows for the efficient use of land, infrastructure, and public service facilities.
2. Where expansion onto vacant undeveloped lands is proposed, the following phasing policies will be considered at the time of application review:
 - a. The proposed development represents a contiguous expansion within the Living Area designation;
 - b. The proposed development represents a logical utilization of existing municipal and social infrastructure;
 - c. The proposed development completes or rounds out existing neighbourhoods with respect to road connections, waterline looping, and public service facilities, such as schools and recreation facilities; and

PART II: LAND USE POLICIES

- d. The area is experiencing growth pressure, as evidenced by adjoining development and the available supply of lots/units in existing registered and draft approved plans of subdivision/condominium.
3. Land supply requirements and intensification targets will be monitored and reviewed on a five-year basis.
4. No Official Plan amendment(s) for the expansion of areas designated Living Area will be considered until a comprehensive review is undertaken.

2.3 Intensification

Residential intensification is an effective means of ensuring the efficient use of land and infrastructure in the Township. Policies aimed at increased intensification are consistent with the desire to concentrate future development in fully serviced areas, as well as provincial directives on housing policy.

In order to ensure the development of a healthy, balanced and efficient community, the Township will encourage new growth to occur through intensification. It is an objective of this Plan that, by 2022, 10% of the residential growth will occur through intensification.

2.3.1 Policies

1. Intensive forms of development can occur without dramatic change in the character and scale of existing neighbourhoods. Opportunities for intensification will be supported on lands:
 - a. that are no longer viable for the purpose for which they were intended, such as older industrial areas and brownfield sites;
 - b. where the present use is maintained but the addition of residential uses can be accomplished in a complementary manner;
 - c. that are vacant and/or underutilized within previously developed areas; and
 - d. that are fully-serviced and could accommodate infill developments.

2.3.2 Programs

1. To support intensification, financial incentives for brownfield redevelopment will be investigated.
2. In order to encourage housing intensification through the conversion of vacant legal non-conforming uses, Council will actively participate in Federal and Provincial programs to facilitate such activity.
3. An inventory of vacant sites suitable for infilling and other forms of intensification will be maintained.

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2.3.3 Monitoring

Over the next five years, Council will review the amount of residential development that is occurring through intensification to determine whether or not the 10% intensification target is being reached. Council will review and, if necessary, adjust its policies and programs, including amending this Plan, to ensure that continued progress towards this target is made.

2.4 Housing

Adequate and affordable housing for all residents is a fundamental component to ensuring a healthy community approach to growth and development. Housing is also a key contributor to individual success at school, in the workplace, and in the community. Official Plan policies have been designed to improve the availability of housing for all current and future residents of Armstrong.

Diversity in the housing supply is achieved by providing a range of housing types, maintaining a balanced mix of ownership and rental housing, and addressing housing requirements for low-income groups and people with special needs. Policies in this Plan ensure that a variety of dwelling types are permitted subject to regulations contained in the Zoning By-law. These land uses are outlined in the *Living Area* policies of this Plan.

The ability to address housing in the Official Plan is generally limited to the land use policy and regulatory controls under the *Planning Act*. Many factors that influence housing are beyond the Township's control under the *Planning Act*. In recognition of this, the policies in this Section serve to provide direction to Council as to how housing needs and issues can be addressed.

2.4.1 Objectives

It is the objective of the housing policies to:

- a. encourage diversity in the supply of housing and promote a full range of housing types, including housing that is affordable and appropriate to low-income groups and people with special needs;
- b. maintain a balanced mix of ownership and rental housing;
- c. allow increased residential intensification in the urban area;
- d. promote housing as an important component of the economic development strategy;
- e. support innovation in housing design and development;
- f. support and promote accessibility within the housing market for persons with disabilities;
- g. ensure the Township's housing stock provides acceptable levels of health and safety; and
- h. support the District of Temiskaming Social Services Administration Board (DTSSAB) as the local service provider.

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2.4.2 Policies

To encourage diversity in housing types and tenure, it is policy of this Plan to:

1. encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;
2. encourage production of smaller (one and two bedroom) units to accommodate the growing number of smaller households;
3. promote a range of housing types suitable to the needs of senior citizens; and
4. prohibit conversion of rental units to condominium form of tenure when the apartment vacancy rate falls below three (3) percent.

Council will encourage housing providers to pursue housing opportunities that support economic development initiatives. It is policy of this Plan to:

1. promote residential development in the Downtown as a stimulus to revitalization and small business development; and
2. support a range of housing types available to seniors, retirees, and younger cohorts by encouraging the development of alternative housing options.

New housing should focus on providing accessible units for persons with mobility or other impairments. In order to support and promote accessibility within the housing market, it is policy of this Plan to:

1. encourage all housing providers to design and develop barrier-free housing; and
2. monitor the availability of modified units within the social housing sector to determine the suitability of these units versus the needs.

The Township supports innovation in housing design and development that minimizes costs in the production of affordable housing. In order to achieve this, it is policy of this Plan to:

1. permit alternative development standards where appropriate;
2. encourage innovative forms of multiple housing and converted dwellings in order to achieve cost efficiencies in the provision of housing; and
3. encourage innovation in housing tenure and financing.

The Township's housing stock should be maintained to provide acceptable levels of health and safety to all current and future residents. In order to achieve this, it is policy of this Plan to:

1. enforce property maintenance standards in all forms of housing throughout the Township; and

PART II: LAND USE POLICIES

2. maximize the use of Federal and Provincial improvements, rehabilitation, and housing assistance programs to maintain and upgrade existing housing stock throughout the Township.

2.4.3 Housing Requirements

Utilizing the housing demand and supply analysis conducted as part of the 2010 Land Needs Background Study, housing requirements are established to address possible household growth over the 20-year planning horizon.

The following are guidelines for annual housing targets. Consistent with policies established by this Plan, a suggested mix of housing types could be comprised of 70% single detached dwellings and 30% semi-detached, row housing, and small-scale apartment dwellings. In order to maintain a balance of ownership and rental housing, a tenure mix of 70% ownership and 30% rental is also proposed. Ideally, 25% of all new dwellings should meet the definition of affordable housing.

3.0 EMPLOYMENT AREA

The Employment Areas designated by this Plan encompass lands where people presently work and lands where employment opportunities will be provided in the future. Employment Areas are shown on Schedule “B”, Land Use Map and include three broad categories: Commercial, Institutional, and Industrial.

Encouraging and enhancing commercial development in Armstrong is crucial to the Township’s quality of life. Commerce provides employment through the retail sale of goods and services to residents, visitors and other businesses and helps broaden the Township’s tax base, which, in turn, helps the Township maintain required public services.

Commercial uses that serve the general population of the Township will be located within the Commercial Core of the implementing Zoning By-law. This area is generally defined as the area from Tenth Avenue east to Twelfth Avenue on Tenth Street and from Ninth Street north to Eleventh Street on Tenth Avenue (Secondary Highway No. 571). Other commercial uses related to tourism or highway orientation may be located on Tenth Street between the railway line and Highway No. 11 and at the intersection of Highway No. 11 and Tenth Avenue. All commercial uses will take place on properties that front on and have access to Tenth Street or Tenth Avenue.

Institutional and public uses may be intermixed in both the residential and employment areas within the Urban Area. Larger institutional and public uses should be within the Employment Area designation.

Industrial uses will generally consist of uses already existing; however, trade shops may be located within the townsite provided they do not interfere with the quiet enjoyment of residential property owners or create any adverse effects.

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3.1 Goal and Objectives

Goal: Provide a supportive land use policy framework that reduces constraints for commercial development, while ensuring that existing and future commercial uses will contribute to Armstrong's economy, employment opportunities, and quality of life.

It is the objective of the Employment Area policies to:

- a. ensure that an adequate supply and variety of serviced employment land exists throughout Armstrong, allowing the expansion and diversification of the employment base;
- b. ensure that a broad range of commercial opportunities are provided for residents, employees, and tourists;
- c. encourage the maintenance and improvement of existing commercial buildings;
- d. promote intensification and revitalization of commercial, industrial, and institutional areas;
- e. ensure adequate institutional facilities, such as education, health care, and social service facilities and services, are provided at suitable locations to meet the evolving needs of residents of all ages and physical capabilities in the Township;
- f. ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;
- g. promote environmentally sound industrial practices and mitigate conflicts with sensitive uses;
- h. ensure that new developments do not preclude future extraction of known or potential mineral or aggregate deposits; and
- i. embrace new technologies to harness emerging areas of growth.

3.2 Commercial Core

Commercial uses that serve the general population of the Township will be located within the Commercial Core, generally defined as the area from Tenth Avenue east to Twelfth Avenue on Tenth Street and from Ninth Street north to Eleventh Street on Tenth Avenue. There are many types of commercial uses located within the Commercial Core area.

3.2.1 Policies

1. Permitted uses in the Commercial Core may include retail stores, personal service establishments, professional offices, medical clinics, restaurants, banks and financial services, travel accommodations, institutional, and other related community services and activities. Mixed use commercial, which includes residential uses above or behind the storefronts, are also permitted.

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2. Mixed use development will need to meet land use compatibility requirements and Record of Site Condition requirements when redeveloped.
3. All new commercial development and infill commercial development will provide adequate off-street parking. Access to parking will be designed to minimize conflict between pedestrian and vehicular traffic.
4. New or redevelopment of commercial uses in the Commercial Core area designation will be oriented to pedestrian and vehicular traffic, with an emphasis on the ease of movement for pedestrians between commercial establishments.
5. Where off-street parking is required due to development or redevelopment of commercial land uses, such parking will generally be located to the side or rear of establishments in order to foster a pedestrian friendly environment.
6. Sewer and water capacities are adequate for the proposed use.
7. Existing and future commercial uses in this area will be subject to Council approved Urban Design Guidelines.
8. All commercial uses will take place on properties that front on and have access to Tenth Street or Tenth Avenue.
9. Existing residential uses will be recognized in the Zoning By-law.

3.3 Highway Commercial

The Highway Commercial policies are intended to guide the development of regional scale commercial retail facilities generally located on Tenth Street between the railway line and Highway No. 11 and at the intersection of Highway No. 11 and Tenth Avenue. Highway Commercial development will promote the efficient distribution of goods and services and satisfy the consumer needs of Township residents, as well as visitors from the greater area providing local employment opportunities.

3.3.1 Policies

1. Permitted uses include a full range of retail commercial uses, department stores, apparel, home furnishings, and building materials stores, retail and service commercial uses directed to the travelling public, entertainment uses, as well as hotels and motels.
2. All new commercial development and infill commercial development will provide adequate off-street parking.
3. Existing and future commercial uses in this area will be subject to Council approved Urban Design Guidelines.
4. Sewer and water capacities are adequate for the proposed use.
5. Existing residential uses will be recognized in the Zoning By-law.

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3.4 Institutional Areas

Institutional uses are permitted throughout the Township in accordance with the needs of area residents. Institutional uses such as colleges, hospitals, etc. will need to be designated Institutional Area. Small scale institutions compatible with surrounding uses, such as schools, libraries, day nurseries, retirement homes, places of worship, and recreation centres, are predominantly located within the Living Area designation.

3.4.1 Policies

1. Institutional uses consist of educational institutions, such as secondary schools and colleges, as well as government offices, hospitals, and other community facilities intended for public use.
2. In considering the establishment of new institutional uses or the expansion of existing facilities on lands not specifically designated for institutional purposes, Council will ensure that:
 - a. sewer and water services are adequate for the proposed use;
 - b. adequate traffic circulation can be provided;
 - c. adequate parking for the public is provided on site;
 - d. the proposed institutional use can be integrated into the area and is compatible with surrounding uses; and
 - e. adequate buffering and landscaping is provided.
3. Existing and future institutional uses will be subject to Council approved Urban Design Guidelines.
4. Existing institutional uses will be recognized in the Zoning By-law.
5. Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, and facilitate active transportation.

3.5 Industrial Areas

The designation of sufficient employment lands, including lands to accommodate existing and potential industrial uses is essential. The adequate provision of industrial lands, including the creation of Industrial and Business Parks, is closely aligned with the Township's long-term strategic planning goals related to economic development.

3.5.1 General Industrial Areas

General Industrial allows for a range of industrial uses that would generally be considered Class I or Class II industrial uses according to Ministry of the Environment and Climate Change

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(MOECC) Guidelines. Examples include manufacturing and processing facilities. Any proposed industrial area or expansion of these areas will require an amendment to the Zoning By-law.

3.5.2 Policies

1. Permitted uses may include manufacturing, fabricating, processing and assembling of industrial and consumer products, repair, packaging, and storage of goods and materials, and related industrial activities.
2. Complementary uses, such as administrative offices, which do not detract from, and which are compatible with, the operation of industrial uses are also permitted.
3. General Industrial uses must have minimal environmental impacts. Any use that may impact surrounding areas and cause nuisance will be appropriately separated in accordance with MOECC Guidelines and buffered and screened.
4. Where development occurs in areas that are not fully serviced, only dry industries that generate less than 4,500 litres of wastewater a day may be permitted.
5. Heavy industrial uses may also be permitted by rezoning.
6. Existing and future general industrial uses will be subject to Council approved Urban Design Guidelines.

3.5.3 Heavy Industrial Areas

Heavy Industrial permits all industrial uses, but generally refers to Class II and Class III industrial uses according to MOECC Guidelines. Any expansion of these areas will require an amendment to the Zoning By-law.

3.5.4 Policies

1. All industrial uses are permitted, including, salvage yards and quarrying. Mining and related smelting, refining, and processing are generally not permitted in the Employment Area, as the Mining / Mineral Reserve designation applies to those uses.
2. Buffering and landscaping strip will be provided along all Arterial Road frontages adjacent Heavy Industrial uses. Buffering in the form of earth berms, opaque fences, natural topographic features, or dense vegetation will be provided at the boundaries adjacent to less intensive uses.
3. Drainage runoff will be controlled such that the water quality of groundwater or downstream watercourses/waterbodies is not impaired. Additional policies on stormwater management are contained in this Plan.
4. Influence areas and minimum setback distances between industrial uses and sensitive land uses may be required for certain uses in this designation in accordance with MOECC's Guidelines on land use compatibility.

PART II: LAND USE POLICIES

5. Existing and future Heavy Industrial uses will be subject to Council approved Urban Design Guidelines.

3.5.5 Conversion of Employment Lands

The Township may permit conversion of lands within its industrial areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion and that sites being converted to more sensitive uses are properly screened under the *Environmental Protection Act* and an RSC filed, if necessary.

4.0 AGRICULTURE

Lands designated Agriculture are areas where prime agricultural land predominates, which includes Canada Land Inventory (CLI) Classes 1, 2, and 3 soils in this order for protection and, therefore, have potential for agricultural production, areas demonstrating a concentration of farming activity, as well as pockets of lesser valued soils within the greater context of a prime agricultural area. The CLI of Soil Capability for Agriculture; Ministry of Agriculture, Food and Rural Affairs (OMAFRA) information on land in agricultural use; and site investigations were used to identify the Agriculture designation on Schedule 'B'. It is a policy of this Plan to protect agricultural lands to ensure their availability on a long-term basis by protecting them from incompatible uses and preventing their fragmentation.

Agriculture and farm related businesses and industries are important economic generators for the local and regional community.

Farming requires large investments, a high degree of risk, long-term planning, and responsible management of the land resource. More and more, this business is subject to fluctuations and uncertainty due to market changes, trade practices, and competition. Over time, we can expect an ever increasing number of farm consolidations, resulting in fewer, larger farm units to achieve economies of scale; a growing complexity and sophistication of land management and farm operations; and a declining farm population. It is important to protect these areas from various threats that impede farm operations. These threats include the increased pressure for non-farm related uses in rural areas, which may constrain agricultural practices, fragment land ownership, inflate agricultural land prices, and create land use compatibility problems.

The Township recognizes the contribution of the agricultural industry and land resource to the Township's economy, heritage and quality of life and will strive to protect this valuable resource. Through the Official Plan, land use will be managed so that agriculture is recognized and maintained as a long term use of land within the Township. The implications of land use change for agriculture and the potential impacts of agricultural operations and non-farm land uses will be fully assessed.

4.1 Goal and Objectives

Goal: It shall be a goal of the Township of Armstrong to conserve agricultural land, protect the viability of farms and farm-related industries, and maintain the quality of rural life for the benefit of all.

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The use of areas designated "Agriculture" shall be directed towards the following objectives:

1. Protect, maintain, and improve the prime agriculture areas for future generations. Prime agricultural areas are lands with highly valued soils in accordance with the CLI mapping and, therefore, have potential for agricultural production, areas demonstrating a concentration of farming activity, as well as pockets of lesser valued soils within the greater context of a prime agricultural area.
2. Promote and support a healthy and productive agricultural industry as a key component of the Township's economic base and heritage.
3. Support a pattern of agricultural land holdings that increases the viability of farm operations and avoids the fragmentation of land ownership.
4. Discourage uses that are not supportive of agriculture from locating in areas designated for agricultural purposes.
5. Direct permitted secondary uses and agriculture-related development in agricultural areas to lands that have a marginal or lesser capability for agriculture, and where the potential for conflict between agricultural and non-agricultural uses will be minimized.
6. Minimize the potential for land use conflicts between residential uses in the settlement area and agricultural operations.
7. Conserve agricultural land within the Township of Armstrong as a valuable, limited and non-renewable resource.
8. Protect the productivity of farmland for agricultural production for the global community and future generations.
9. Protect the long term viability and stability of agricultural lands by recognizing these areas as a permanent use of land.
10. Encourage economic development and research opportunities associated with teaching and learning establishments related to the agricultural industry.
11. Encourage effective farm management practices that are practical and environmentally responsible by supporting farm stewardship incentive programs and initiatives aimed at reducing erosion; promoting the responsible use of pesticides; improving energy conservation; preserving and enhancing topsoil and effective nutrient management; promoting conservation of woodlots and wetlands; and encouraging the preparation and implementation of Nutrient Management Plans.
12. Promote the infill and intensification of development in urban areas to minimize the amount of farmland required for urban growth purposes.

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4.2 Policies

1. An amendment to the Official Plan will be required to change the designation from Agriculture to another designation. Any decision affecting Agricultural lands shall be consistent with policy statements issued under the *Planning Act*.
2. Within the Agriculture designation, there may be small pockets of land that are marginally productive or of lower priority for agriculture due to their size, shape, topography, soil, class, drainage, and other physical characteristics. However, these physical limitations and site characteristics alone do not merit consideration for an Official Plan amendment to a non-agricultural designation.
3. Within the Agriculture designation, farm-related commercial and farm-related industrial uses that require proximity to agricultural operations and provide agricultural services and supplies, such as a farm implement dealer, a feed mill or seed cleaning plant, an agricultural produce warehouse, an abattoir, or other similar agri-business may be permitted without an amendment to this Plan. These uses will generally be encouraged to consolidate into groups within or adjacent to existing communities or in areas of lower quality agricultural land. Regard will be had to the following matters in reviewing applications for the development of such uses:
 - a. the compatibility of the proposed use with surrounding land uses;
 - b. the proposed use is directly related to agriculture and it should be demonstrated that it is necessary to be in close proximity to farm operations;
 - c. the proposed use is proposed for less productive land wherever possible;
 - d. the siting and design of the proposal so as to ensure the provision of adequate off-street parking and loading facilities, appropriate setbacks, landscaping and buffering, and that any lighting or signs are arranged so as to blend in with the character of adjacent uses; and
 - e. the uses will be appropriately zoned in the Zoning By-law.

Such uses may be permitted conditional upon approval of an amendment to a separate zoning classification in the implementing Zoning By-law where appropriate provisions and regulations are established to govern the use of such lands.

4. Permitted farm-related commercial or farm-related industrial uses will be subject to Site Plan Control, as outlined in the Site Plan Control Section of this Plan. In addition, the Township may require a preliminary site plan as part of the application for a Zoning By-law amendment.
5. When considered necessary, the Township may seek the advice of government agencies or individuals having appropriate specialist knowledge in matters concerning the potential effects of any proposed farm-related commercial or farm-related industrial use. In accordance with comments received from government agencies and/or other expert opinion, the Township may impose building controls in the development or site plan agreement.

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6. An existing lot of record in an Agriculture designation may be used for residential purposes (including second units and garden suites) in accordance with the relevant provisions of the Zoning By-law, provided such lot is an appropriate size and shape and the dwelling can be serviced with private sewage disposal and water services, does not violate the Minimum Distance Separation Formulae as amended, and it complies with other relevant policies of this Plan.
7. Where any mineral aggregate operation or mineral mining operation takes place within areas comprised of Class 1, 2, or 3 soils according to the CLI data, it may be a requirement of the Township, to be imposed through an agreement that appropriate rehabilitation sufficient for agricultural purposes is carried out. The terms and conditions for such rehabilitation may be established in consultation with the appropriate government agencies.
8. Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.
9. The creation of non-farm residential lots in the Agriculture designation shall be prohibited except as a residence surplus to a farming operation as a result of a farm consolidation.
10. In areas designated as *Agriculture*, extraction of *minerals* is permitted provided that the site is rehabilitated back to an agricultural condition. Progressive rehabilitation should be undertaken wherever feasible.
11. In areas designated as *Agriculture*, extraction of mineral aggregate resources is permitted as an interim use, provided that the site is rehabilitated back to an agricultural condition.

On lands designated as *Agriculture*, complete agricultural rehabilitation is not required if:

- a. There is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b. Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives will include resources in areas of CLI Class 4 to 7 soils, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, lands designated as *Agriculture* shall be protected in this order of priority: *specialty crop areas*, CLI Class 1, 2, and 3; and
- c. Agricultural rehabilitation in remaining areas is maximized.

The Agriculture designation shall permit many forms of agricultural uses, secondary uses, and agriculture-related uses on lands designated as Agriculture, in order to take advantage of its proximity to urban areas and markets.

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4.2.1 Primary Permitted Uses

Within areas designated 'Agriculture' on Schedule 'B', the primary permitted use of the land shall be for the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; forestry; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

4.2.2 Secondary Uses

Secondary uses in the 'Agriculture' designation include uses secondary to the principal use of the property that are compatible with and shall not hinder surrounding agricultural operations, including but not limited to, accessory dwelling (farmhouse), home occupations, bed and breakfast establishments within an existing dwelling, agri-tourism (farm vacations), home industries, custom meat shops that are small scale and directly related to the farm operation, pick-your-own operations, produce market and packing operations, and associated parking operations that are small scale and directly related to the farm operation, forestry related uses, and uses that produce value-added agricultural products from the farm operation on the property. Secondary uses could also include herb gardens, farm gate sales, kennels, and craft shops.

Proposed new secondary uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Minimum distance separation (MDS I or MDS II) does not apply to permitted agriculture-related, on-farm diversified, or other permitted uses in this section.

4.2.3 Land Stewardship, Sustainable Operations

1. Agricultural operations shall be encouraged to operate their business under best management practices and to participate in farmer-led stewardship initiatives, such as the Canada-Ontario Environmental Farm Plan, which protect the long term productivity of soils and minimize or eliminate negative environmental impacts. In order to minimize negative impacts on waterbodies, agricultural operations are encouraged to maintain appropriate setbacks or buffer strips from waterbodies.

4.2.4 Lot Creation

1. Agricultural areas are to be preserved in large parcels. Lot creation in the Agricultural designation will only be permitted for:
 - a. agricultural uses;
 - b. agriculture-related uses;
 - c. a residence surplus to a farming operation as a result of a farm consolidation; or
 - d. infrastructure purposes.

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2. Severances in Agricultural areas are subject to the following criteria:
 - a. New and retained lots from severances are to be of an appropriate size for the type of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation;
 - b. The severed parcel and the parcel remaining after severance will generally be a minimum of 40 hectares (99 acres) in size; and
 - c. Existing agricultural operations will not be subdivided into smaller parcels of land where the severance would reduce the long-term flexibility and viability of the existing farm unit.
3. New lots for agriculture-related uses (farm-related commercial or farm-related industrial uses) will be kept to the minimum size needed to accommodate the use and shall be compatible with and shall not hinder surrounding agricultural operations.
4. In the case of a farm consolidation, a new lot may be created for a residence surplus to a farming operation. The proposed severance must meet the following criteria:
 - a. The lot size is kept to the minimum required to site a dwelling, well, sewage disposal system, and accessory structures;
 - b. The new lot is separated from agricultural uses in accordance with the *Minimum Distance Separation* formulae; and
 - c. New residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

4.2.5 Lot Adjustment

1. Lot adjustments may be permitted for a legal and/or technical reason(s).

5.0 RURAL

Lands designated Rural are intended to be maintained as rural in nature. The amount and type of development in the Rural area will be consistent with maintaining its rural, natural heritage, and cultural landscape, including maintenance of tree cover and large open space areas.

Rural households, businesses, and farms rely on private water and sewage disposal systems. There is no intention to expand services to these areas.

The Rural area requires well-defined policies to protect existing uses, while recognizing that the focus of future development will be within the fully serviced community of Earlton. The Rural designation supports this overall concept, while also striving to protect its natural features and resource potential.

The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location, especially those that provide rural economic benefits that are balanced with

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protection of the natural environment and the agricultural resource base. Intensive development of these lands is not desired, as more suitable locations within the Village of Earleton have been identified for urban growth. Rural areas are shown on Schedule “B”, Land Use Map.

5.1 Goal and Objectives

GOAL: to permit a limited amount of development in the Rural designation, retain the rural character of the area, while ensuring that there are no demands placed on the Township for services that are expensive or difficult to provide.

It is the objective of the Rural area policies to:

- a. provide an efficient and orderly pattern of land use in Rural areas, reducing land use conflicts and requiring minimal municipal services;
- b. ensure that all development is adequately serviced and does not negatively impact the environment;
- c. encourage a strong rural economy with a range of rural uses and activities;
- d. recognize the importance of agriculture, silviculture, and other rural land uses to the economy; and
- e. preserve the cultural and historical character of rural areas.

5.2 Policies

- I. Limited low density residential development is permitted in Rural areas and will generally be single detached dwellings. The conversion of existing single detached dwellings into two family unit dwellings or the addition of a second unit may be permitted in accordance with the provisions of the Zoning By-law, and with the consideration of adequate well and septic services.
- II. Rural residential development shall not require additional public services, including the creation of new partial services.
- III. One single detached dwelling and a second unit is permitted on an existing lot, provided that it fronts onto a public road that is maintained year-round. The lot must also have the capability to provide an individual on-site sewage disposal system and water supply with both quantity and quality suitable for domestic uses.
- IV. A mobile home unit is allowed where a single detached dwelling would be permitted, provided that it is built in accordance with the *Ontario Building Code*.
- V. A Garden Suite is allowed in accordance with the Garden Suite policies of this Plan.
- VI. Development shall be located so as to avoid natural hazard areas and to ensure that there is no negative impact on natural features and their ecological functions.

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- VII. In order to assure high quality development, new non-farm residential land uses will be limited to areas like the ridge located in Lots 1, 2, 3, and 4, Concessions II, III, and IV. The ridge contains substantial physical attributes, such as proximity to scenic views, woodlands, and elevated lands. Such scenic areas and habitats for natural wildlife and woodlands will not be unduly disturbed and such woodlands will not have significant timber value.
- VIII. New residential development will be limited in number. Where the number of lots being proposed requires that the development will be by plan of subdivision, an Official Plan Amendment shall be required. A plan of condominium will also require an Official Plan Amendment.

5.2.1 Permitted Uses

Rural areas contain a variety of land uses, such as farms, woodlots, small industry, and clusters of rural residential development. These areas also provide for outdoor recreation opportunities, such as snowmobiling, cross-country skiing, hiking, and other activities in natural areas.

Lands designated Rural are not intended to be the focus of residential or commercial development. However, a variety of land uses will be permitted, including those permitted uses within the Agriculture designation, as well as limited rural residential, commercial, industrial, and outdoor recreation uses. The policies for permitted uses, including residential, commercial, industrial, and outdoor recreation development, are set out below.

Not all rural land is appropriate for the above-listed uses. Among other things, site specific conditions, such as floodplains and other natural hazards, bedrock at surface, poor drainage, organic soils or high water table, may make certain areas undesirable for development. The Township may discourage the use of lands that would require substantial changes and improvements that are incompatible with the rural landscape before development could occur.

The following uses are permitted within the Rural designation:

- a. Limited residential uses;
- b. agricultural uses and agriculture-related uses;
- c. conservation, open space, and natural resource management activities;
- d. institutional uses;
- e. mineral aggregate operation;
- f. mineral mining operation;
- g. mineral exploration;
- h. rural industrial / commercial uses;
- i. resort;

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- j. public uses; and
- k. The Earlton-Temiskaming Regional Airport.

5.2.2 Rural Residential

Limited rural residential development is permitted in the Rural Area in order to direct growth to the Living Area of the Township, where development can occur on full municipal services. The extent to which rural residential development is limited will be defined with respect to the Rural lot creation policies, as well as the choice of which lands are designated as Rural, in Schedule “B” Rural land use.

5.2.3 Rural Lot Creation

Policies on lot creation in Rural areas are required to mitigate the pressures inherent to unserviced development and the environmental impact of private septic systems. Consistent with the objective to concentrate development within fully serviced areas, limits on the location, size, and number of lot severances in Rural areas are established.

1. New lot creation for residential development is not permitted on those lands restricted by:
 - a. the Mining / Mineral Reserve;
 - b. the Aggregate / Aggregate Reserve;
 - c. the Environmental Protection designation; or
 - d. significant natural features and areas.
2. Up to two consents (residential or non-residential) may be granted for a land holding as recorded in the records of the Land Registry office prior to the 16th day of June 1982, excluding the retained lot, where the land is located in the rural area. A maximum of six (6) lots may be granted annually in the rural area. The severed parcel must have a minimum size of 2 hectares (5 acres) and a minimum public road frontage of 90 metres (295 feet). The retained parcel must have a minimum size of 10 hectares (25 acres) and a minimum public road frontage of 90 metres (295 feet).
3. Proof of potable water supply may be required as a condition of consent.

5.2.4 Agriculture, Conservation, and Natural Resource Management

Rural areas can accommodate a number of uses that are compatible with the natural setting and extensive open space areas, as well as existing uses, such as farming. Activities related to outdoor recreation, agriculture, and natural resource management are considered appropriate within a rural setting.

1. Rural areas may be used for recreational purposes that are primarily outdoor-oriented, such as walking trails, snowmobile trails, riding trails, and similar recreational uses. Silviculture, reforestation, and those activities related to the conservation or

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management of the natural environment are permitted.

2. Agricultural uses are permitted in Rural areas. Compatible resources, such as forestry and small-scale commercial and industrial uses that are directly related to farm operations are permitted in this designation.
3. Farm-related commercial and farm-related industrial uses that are small in scale and directly related to the farm operation, such as grain drying, handling, and storage facility; and secondary uses, such as value-added agricultural products, such as custom meat shops, pick-your-own operations, produce market and parking operations, home occupations, home industries, and other similar agri-business, are permitted in the Rural area.

5.2.5 Rural Commercial and Industrial

Some limited rural industrial/commercial uses are permitted in Rural areas, particularly those activities that provide rural economic benefits that are balanced with protection of the natural environment and the agricultural resource base. As well, there will be tourism commercial development associated with the trails developed specifically for the use, such as ski and snowmobile trails or with other significant recreational facilities. All proposals for new or expanding industrial uses within the Rural designation shall conform to Section 3.5 of this plan regarding industrial uses.

1. Rural commercial uses that provide for the basic and immediate needs of the rural population and of tourists and the travelling public will be permitted. Rural commercial uses will include, but will not be limited to, resort and recreation commercial uses, tourist facilities, auction barns, farm-related commercial and convenience commercial, flea markets, golf courses, and campgrounds.
2. Permitted Rural Industrial uses may include, but not be limited to, agricultural processing plants, builder supply yards, bulk storage yards, contractor yards, transportation terminals, motor vehicle repair garage, sawmill, warehousing, and other similar industrial uses.
3. A number of industrial uses are also located on this ridge, while fronting on Highway No. 11. The expansion of these existing uses may be permitted provided a frontage on Highway No. 11 is maintained. The main industrial area is located in Lots 6 and 7, Concession VI. The existing uses front onto Highway No. 11, however, new uses established in this area will require access from either a Concession Road or a Service Road.
4. As a new industrial location, a limited number of uses, which would benefit from locating adjacent to the airport, will also be permitted on the present airport land. The airport land is located in Parts of Lots 7, 8, 9 and 10, Concessions II and III.
5. Pits and quarries are permitted in appropriately zoned areas.
6. Small home-based manufacturing operations, such as pottery, repairs, or cabinet-making are permitted subject to appropriate controls in the Zoning By-law to minimize

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impacts on adjacent uses. Merchandise offered for sale must be manufactured on the property.

7. The following policies also apply to the Rural Commercial and Industrial uses:
 - a. The use must be appropriate for the proposed location and be compatible with surrounding land uses;
 - b. The use will comply with the Minimum Distance Separation formulae, as amended;
 - c. Access to uses will be carefully controlled in order to avoid creating any traffic hazard. Generally, there should be no more than two accesses per lot;
 - d. The use will be appropriately screened and buffered;
 - e. Adequate off-street parking and loading spaces will be provided;
 - f. Advertising signage and outdoor storage of goods and materials will be appropriately controlled;
 - g. The use must generate limited amounts of wastewater and not require the taking of large quantities of water;
 - h. The uses will be placed in a separate category in the Zoning By-law; and
 - i. Development on the lot will be subject to site plan approval.

5.2.6 Tourist Commercial

Tourist commercial uses in rural areas are permitted as a means of expanding the tourism sector and providing increased recreational opportunities.

1. Permitted uses may include resort hotels, lodges, tourist-oriented accommodations and uses, campgrounds, trailer parks, sale and rental of outdoor recreation related equipment, ski, fishing and camping shops, restaurants, outdoor recreational uses, related accessory uses, and existing uses.
2. Any new tourist commercial land use or expansion of an existing use may require an amendment to the Zoning By-law in order to guide the scale, size, and density of the development, and recognize and respond to the characteristics of the particular site. Consideration of a new tourist commercial land use through an amendment to the Zoning By-law will ensure that:
 - a. the site is suitable for the use proposed in terms of density, intensity, and location of buildings and structures, and type of facilities;
 - b. where development occurs in areas not fully serviced, tourist commercial uses are to be serviced by an adequate sewage disposal system;

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- c. a hydrogeological assessment may be required to assess the impacts of development and ensure adequate supply of potable water and recreational water quality;
- d. access routes can accommodate additional traffic, if required;
- e. adequate off-street parking and loading spaces will be provided;
- f. advertising signage and outdoor storage of goods and materials will be appropriately controlled;
- g. the proposed use is compatible with surrounding properties and will provide adequate buffering, if required;
- h. impacts on the natural resources are considered and mitigated; and
- i. development on the lot will be subject to site plan approval.

5.2.7 Airport

The Earlton-Temiskaming Regional Airport (ETRA or Airport) is located just west of Earlton. The Airport is an important transportation link serving all Temiskaming communities and surrounding areas permitting these areas to connect to and access the business communities in Temiskaming to regional, national, and international markets and clientèle.

- 1. The existing Airport is permitted in the Rural designation provided it is licensed by the Minister of Transport. Airports will be used primarily for commercial or recreational purposes. Any related facilities that are normally incidental to the operation of an airport will also be permitted.
- 2. Site specific standards and uses for airports will be established in the Zoning By-law.
- 3. The Zoning By-law will also establish appropriate controls in the vicinity of the airport to restrict land use and provide limits on the height of buildings and structures in accordance with Transport Canada regulations.
- 4. Areas affected by airport noise are shown as Noise Exposure Forecast (NEP/NEF) Contours on Schedule “B” and are subject to the airport noise policies of this Plan.

6.0 MINERAL RESOURCE AREAS

Schedule “B” identifies the following as areas where locally significant mineral deposits and mineral aggregate resources are known to exist:

- a. Mineral Aggregate Area;
- b. Mining and Mineral Area; and
- c. Mineral and Mineral Aggregate Resources Reserve Area.

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Under present legislation, mining activity is regulated by the *Mining Act* and administered by the Ministry of Northern Development and Mines (MNDM). Various Acts administered by the MOECC and other Federal and Provincial legislation also apply. As such, Official Plans do not regulate mining exploration or underground mining operations.

Pits and Quarries are regulated under the *Aggregate Resources Act (ARA)*. At the time of preparation of this Official Plan, the Township of Armstrong has not been designated under the *ARA*. Notwithstanding subsection 34(2) of the *Planning Act* states that “the making, establishment or operation of a pit or quarry shall be deemed to be a use of land for the purpose of paragraph 1 of subsection (1).” Therefore, municipalities have the authority to regulate pits and quarries as a use of land. Furthermore, under section 124 of the *Municipal Act*, municipalities can regulate pits and quarries in non-designated areas.

Consideration also needs to be given to the *Environmental Protection Act (EPA)* and MOECC Guidelines.

Exploitable limestone and dolostone may be found throughout the Township in the underlain Palaeozoic sedimentary rocks. Throughout the history of the Township, only three recorded operations have been identified as limestone quarries and one additional site has been classified as a ballast rock pit. These sites were primarily developed for the construction of the Provincial Highway, the Provincial Railway and the former Federal Airport projects. Due primarily to the cover depth, ranging from 240 to 330 metres, and the present low demand, the potential for the establishment of new, or the growth of the existing aggregate resource site is seen as limited in the near future.

The Temiskaming Rift Structure in the southwestern corner of the Township may host diamonds; however, further study is required as to the possible location and quality of this potential. This area of the Township is accessible via Secondary Highway 562 and an unopened road allowance.

6.1 Goal and Objectives

GOAL: To identify and protect deposits, including mineral and mineral aggregate resources, and guide their extraction in a manner that is sensitive to the natural environment and to surrounding development, and to preserve identified areas of mineral and aggregate potential for future use. It is also a goal of this Plan to provide for the rehabilitation of depleted mineral and aggregate resource sites for the benefit of current and future residents of the Township.

It is the objective of the Mineral Resources Areas to:

- a. protect minerals and mineral aggregate resources for long-term use;
- b. protect mineral mining and mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use or that would be incompatible for reasons of public health, public safety, or environmental impact;
- c. ensure rehabilitation to accommodate subsequent land uses after extraction and other related activities have ceased; and

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- d. carefully review development and activities in areas adjacent to or in known mineral deposits and known deposits of mineral aggregate resources, which could preclude or hinder the establishment of new operations or access to the resources in accordance with provincial direction.

6.2 Mining / Mineral Area

Lands designated *Mining / Mineral Area* shown on Schedule B are considered to have significant mineral potential, current producing mines, past producing mines, ore processing plants, major tailings areas, and other mineral deposits.

6.2.1 Permitted Uses

1. Permitted uses may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and quarries and related uses, and accessory uses and structures associated with mining.

6.2.2 Policies

1. For land in the *Mining / Mineral Area* to be used for a mineral mining operation, an amendment to the Zoning By-law must occur where such lands are not pre-zoned. In considering an amendment to the Zoning By-law to permit a mining or mining-related use or the expansion of an existing use in the *Mining / Mineral Area*, Council will consider:
 - i. 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 functions;
 - ii. indirect impacts on the utilities and services provided by the Township;
 - iii. the impact on surrounding land uses;
 - iv. impacts to public health and safety;
 - v. the aesthetic appearance of the proposed development; and
 - vi. the benefit of the mining or mining-related use to the Township.
2. Other uses, such as forestry and other resource-related compatible uses, recreation, parks and open space, and wildlife management may be permitted provided they do not preclude future extraction. Other industrial uses that will not preclude future mining activities may be permitted subject to zoning permission and site plan control.
3. This Plan recognizes the concept of an influence area surrounding the *Mining / Mineral Area* designation in order to offer mutual protection from encroachment by incompatible uses for either sensitive land uses or the extraction and processing activities in areas protected for mineral mining operations. As the effect of such an influence area may vary with each situation, each proposal will be considered on its own merits based on

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information regarding such matters as compatibility, environmental impact assessment, groundwater, noise, dust, vibration, and other appropriate matters, without amendment to this Plan. Until such time as a detailed study recommends otherwise, however, a distance of 1,000 metres from the edge of the designation will be considered as an influence area.

4. *Mining / Mineral Areas* will be protected from development that would preclude or hinder the establishment of new operations or access to the resource. Development within 500 metres of a *Mining / Mineral Area* designation will only be permitted under the following conditions:
 - a. the resource use would not be feasible; or
 - b. the proposed land use or development serves a greater long-term public interest; and
 - c. issues of public health, public safety, and environmental impact are addressed.
5. New lot creation for residential development is not permitted on lands designated *Mining / Mineral Area*.
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.

6.3 Mineral Aggregate Area

Aggregates and other industrial minerals extracted through pit or quarry methods are valuable, non-renewable raw materials that are utilized extensively for construction, industrial, and manufacturing purposes. 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.

The Township will protect all primary and secondary deposits identified in an Aggregate Resource Inventory Paper (ARIP) prepared by the Ontario Geological Survey or aggregate shown on a Northern Ontario Engineering Geology Terrain Study, where an ARIP has not been prepared, and all known sources currently under operation. As the Township is not designated under the *ARA*, there are no areas under license and permit under the *ARA*. New pit and quarry operations in *Aggregate Area* or the *Mining / Mineral Area* will be subject to the *ARA*, if and when the area gets designated. Furthermore, pits and quarries may be subject to a Pits and Quarries By-law.

6.3.1 Permitted Uses

1. The primary use of lands designated as *Mineral Aggregate Area* will be pit and quarry operations. Other uses that do not preclude the possibility of future expansion and extraction may also be permitted.

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6.3.2 Policies

1. Lands designated *Mineral Aggregate Area* are to be protected from uses and/or activities that may hinder the future expansion and extraction of aggregates. The protection of known aggregate resources will take precedence, wherever possible, over any land use that would prevent their future expansion and extraction.
2. In considering an amendment to the Zoning By-law to permit new mineral aggregate operations or expansions of existing operations, the following information will be reviewed:
 - a. the location, nature, extent, and economic potential of the mineral deposit;
 - b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on:
 - i. natural heritage features, including significant geologic formations on the site and in the area;
 - ii. agricultural resources and activities;
 - iii. the character of the area;
 - iv. the groundwater recharge functions on the site and in the immediate area;
 - v. heritage resources in the area;
 - vi. sensitive lands uses;
 - vii. surface water features in the area; and
 - viii. nearby wells used for drinking water purposes.
 - c. pit or quarry site plan and supporting information related to site development, landscaping and buffering, operations, decommissioning, and progressive and final site rehabilitation;
 - d. the capability of the existing road network to service the proposed location;
 - e. the effect of the noise, odour, dust and vibrations generated by the use and the use of haul routes on adjacent land uses; and
 - f. how the impacts of the proposed pit or quarry will be mitigated in order to lessen the impacts.
3. Landscaping and buffering will be used to enhance the physical appearance of lands and structures.

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4. In cases where the economical and/or physical extraction is not feasible, other uses may be permitted in accordance with the applicable land use designation, if it can be shown that:
 - a. the land use pattern in the area has reduced the feasibility of extraction; or
 - b. the proposed use would not have a negative impact on the natural heritage features and functions on the site and in the area; or
 - c. the aggregate is low in quality; or
 - d. there is not enough aggregate in the area to justify its economical extraction.
5. Pits and quarries are considered Class III industrial uses with potential influence area of 1 km, which may be reduced in accordance with a study.
6. The protection of the *Mineral Aggregate Area* designation for long term use is a priority of this Plan. However, in approving new pits and quarries, the number and proximity of existing sensitive uses in the immediate area of the proposed new use must be considered.
7. On lands not designated as *Mineral Aggregate Area* but where deposits of aggregate exist, pits and quarries may be permitted by rezoning subject to the criteria under Policy 2 in this Section.
8. Once a pit or quarry has been restored, sequential land uses that are compatible with the area will be encouraged. In situations where restoration methods vary depending on the sequential uses permitted, subsequent uses will be considered prior to rehabilitation.
9. Other uses, such as forestry and other resource-related compatible uses, recreation, parks and open space, and wildlife management may be permitted provided they do not preclude future extraction. Other industrial uses that will not preclude future mineral aggregate activities may be permitted subject to zoning permission and site plan control.
10. Wayside pits and quarries, portable asphalt plants, and portable concrete plants used on public authority contracts are permitted in all areas without the need for an Official Plan amendment, rezoning or community planning permit approval under the *Planning Act* except those areas of existing development or particular environmental sensitivity that have been determined to be incompatible with extraction and associated activities.
11. Upon the termination of a wayside pit or quarry operation, the lands are to be rehabilitated in a manner that is suited to the adjoining land use designation.
12. New lot creation for residential development is not permitted on lands designated as *Mineral Aggregate Area*.

6.4 Mineral and Mineral Aggregate Resources Reserve Areas

The policies in this Section apply to all lands shown as *Mineral and Mineral Aggregate Resources Reserve Areas*.

PART II: LAND USE POLICIES

Reserve Areas for both mineral deposits and mineral aggregate resources are shown on Schedule “B”. These Reserve Areas possess significant mineral and mineral aggregate resource potential for the extraction of minerals, sand, gravel, bedrock, and other aggregates, and the Township intends to protect these areas for possible future extraction purposes.

According to the Metallic Mineral Potential Estimation Tool (MMPET) Index for the Township, there is a very high (80.1 – 90) likelihood of any given parcel of land to be prospective for a metallic mineral resource. However, MMPET is not a mineral resource assessment (MRA) and does not adhere to the approved methodology for determining Provincially Significant Mineral Potential (PSMP).

The Township will continue to work with the Ministry of Natural Resources and Forestry (MNRF) and the MNDM to identify sites containing provincially significant mineral deposits and mineral aggregates to protect these resources for their long-term use.

6.4.1 Permitted Uses

1. Mineral resource activities are permitted in the *Mineral and Mineral Aggregate Resources Reserve Areas* as well as the uses in the underlying land use designation as long as the use does not preclude the possibility of future expansion and extraction of a mineral resource activity.

6.4.2 Policies

1. The identification of lands as Reserve Areas does not entitle the owner of such lands to make use of the land for extraction purposes, other than as a legal wayside pit or quarry, unless a Zoning By-law amendment has been obtained to permit the use. Further, the identification of a Reserve Area does not bind Council to pass the necessary amendment to allow the extraction, if the criteria under Section 6 are not addressed satisfactorily.
2. Other uses, such as forestry and other resource-related compatible uses, recreation, parks and open space, and wildlife management may be permitted provided they do not preclude future extraction. Other industrial uses that will not preclude future mineral mining or mineral aggregate operations may be permitted subject to zoning permission and site plan control.

PART III: PROTECTING THE NATURAL ENVIRONMENT

The policies contained in the following chapters encompass our Water Resources and Natural Environment. All land uses are subject to these policies that are aimed at promoting the sustainability of our natural environment. This Plan also recognizes that various naturally occurring and human-made conditions can result in risks to human health and safety. Protecting Public Health and Safety addresses these concerns with specific land use policies for each type of hazard.

7.0 WATER RESOURCES

Healthy surface water and groundwater ensure access to clean and plentiful drinking water. Addressing water-related issues from a watershed-based planning approach is a critical first step in protecting the Township's water resources.

In general, policies contained in this Section apply to all forms of development in all designations. Supplementary policies on land uses that have a direct impact on water resources are integrated throughout this Plan. The Natural Environment section examines features such as wetlands and fish and wildlife habitat. Policies specific to flooding hazards are found in the section dealing with Protecting Public Health and Safety.

7.1 General Protection of Water Resources

The following general policies apply to protect water resources in the Township:

1. Sensitive surface water features, sensitive groundwater features, and their hydrologic functions and linkages will be determined through a watershed-based planning approach. Sensitive surface water and groundwater features are defined as areas that are particularly susceptible to impacts from activities or events, including, but not limited to, water withdrawals, and additions of pollutants.
2. Development and site alteration will be restricted in or near sensitive surface water features and sensitive groundwater features such that these features and their related hydrologic functions and linkages will be protected, improved or restored.
3. Mitigative measures and/or alternative development approaches may be required to protect, improve and restore sensitive surface water features, sensitive groundwater features, and their hydrologic functions.
4. Efficient and sustainable use of our water resources, including practices for water conservation, will be promoted.

7.2 Drinking Water Resources

Drinking water is of paramount importance. Provincial legislation requires that source water protection plans be developed for Ontario's watersheds. The goal is to safeguard human health by ensuring that current and future sources of drinking water in Ontario's lakes, rivers, and groundwater are protected from potential contamination and depletion.

PART III: PROTECTING THE NATURAL ENVIRONMENT

Private and municipal drinking water supplies in the Township are provided by groundwater sources. This Plan recognizes that various groundwater sources are and will be maintained as the main sources of drinking water for the Township.

7.2.1 Policies

1. Council will work cooperatively with other agencies to protect and, where necessary, improve or restore the quality of drinking water resources.
2. Council will support and take part in the development and implementation of watershed-based source water protection plans. These plans will place an emphasis on identifying sensitive features of the Township's drinking water resources as well as identifying measures required to protect, improve, or restore these resources. Significant drinking water resources may include municipal Wellhead Protection Areas and significant groundwater recharge areas.
3. Sensitive drinking water resources will be protected from incompatible development and site alteration that could compromise the integrity of the resource.

7.3 Groundwater Resources

Groundwater is an important source of water for domestic supply. Groundwater is also used extensively for commercial and industrial purposes. Finally, groundwater discharge contributes to maintaining stream flows and, therefore, plays a vital role in protecting the integrity of certain aquatic ecosystems.

Particular attention is needed to ensure that municipal wellhead protection areas and sensitive areas for groundwater protection are not compromised during land development. Inappropriate land use in and around these features could lead to permanent damage of the drinking water resources for its citizens.

7.3.1 Sensitive Groundwater Features – Municipal Wellhead Protection Areas and Sensitive Areas for Groundwater Protection

A Wellhead Protection Area (WHPA) is the surface and subsurface area surrounding a municipal water well or well field from which the well draws water, and for which protective measures are required to ensure the long-term viability of the municipal water supply. Capture Zones are established around the well based on the estimated time needed for a contaminant to reach the well.

Sensitive Areas for Groundwater Protection consist of the primary recharge areas. These areas encompass all WHPAs, contain substantial quantities of good quality groundwater, and are a valuable resource for long-term drinking water supplies and for sustaining local aquatic ecosystems. These areas consist of unconfined aquifers that are recharged directly from infiltration of precipitation and overland flow from surrounding bedrock areas.

PART III: PROTECTING THE NATURAL ENVIRONMENT

7.3.1.1 Policies

- a. Establishment of a WHPA will be subject to an amendment to this Plan and the Environmental Assessment process under the *EPA*. Minor modifications to the boundaries of a Sensitive Area for Groundwater Protection can occur without an amendment to this Plan.
- b. Council will work cooperatively with appropriate agencies to ensure that all abandoned, unused or 'dry' wells are properly decommissioned, especially in WHPAs and in Sensitive Areas for Groundwater Protection.
- c. Subject to the Township completing a WHPA Study to determine the area of influence, all uses and activities proposed within 200 metres of a municipal wellhead may be prohibited unless the applicant demonstrates that the uses or activities will not have a negative impact on the groundwater.
- d. The Zoning By-law will restrict land uses that have the potential to cause contamination of the groundwater resource in areas to be identified as part of the preparation of WHPAs and Sensitive Areas for Groundwater Protection plans.

7.3.1.2 Hydrogeological Assessments

A hydrogeological assessment is required where a proposed development includes industrial activities that could pose a risk to the municipal aquifer.

A hydrogeological assessment will:

identify the existing groundwater quality and local hydrogeological setting, including:

- i) the site-specific aquifer vulnerability index (AVI);
- ii) the rate and direction of groundwater flow, water quality, and water budget; and
- iii) identify and classify the nature of any predicted adverse impacts, the ability to eliminate or effectively mitigate these impacts, and measures that will be taken. Risk management/reduction measures are to be described, including engineering controls, and management (emergency response plans) and monitoring programs. Council may require that a groundwater monitoring well be installed and sampled as part of this process.

7.4 Surface Water Resources - Streams

Surface water resources are predominantly associated with the St. Jean-Baptiste Creek. These streams provide valuable water resources for wildlife and fish habitat.

7.4.1 Policies

- a. An Environmental Impact Study (EIS) may be required for new development proposed in or adjacent to streams or other waterbodies.

PART III: PROTECTING THE NATURAL ENVIRONMENT

7.4.2 Vegetative Buffers

Vegetative buffers along stream banks are essential to maintaining and improving water quality. Shoreline vegetation acts as a filter, protecting streams from urban runoff from lawns and roads. Vegetation also stabilizes the stream banks and helps prevent erosion from storm runoff. Wildlife and fish also benefit from shoreline vegetation on land and in the water.

New stream bank development will be integrated, where possible, into the landscape and maintain and enhance existing stream bank vegetation to:

1. protect the riparian and littoral zones and associated habitat;
2. protect the quality of the water by preventing erosion, siltation, and nutrient migration;
3. maintain shoreline character and appearance; and
4. minimize the visual impact of development.

7.4.2.1 Policies

1. It is the intent of this Plan to maximize the amount of natural vegetation along stream banks. As such, Council may implement controls on the removal of vegetation by establishing limits on clearing, changes to the grade, and the placement of impervious surfaces along stream banks. These regulations will be based on achieving the following targets:
 - a. For residential uses, a maximum cleared area of 25% of the stream bank frontage or up to 23 metres, whichever is the lesser.
 - b. Requirements for vegetative buffers will be implemented through the Zoning By-law, site plan control, and a community planning permit system, where authorized.

7.5 Stormwater

Stormwater can be a significant problem, especially in urban areas. Left unchecked, it can lead to increased risk of flooding hazards, increased erosion and pollution of waterbodies, subsequent loss of habitat opportunities, and possible impairment of drinking water resources.

The management of stormwater, which includes water resulting from a storm event or a thaw, is as much about land management as it is about water management. Activities on the land will directly or indirectly determine the manner and intensity with which stormwater affects waterbodies.

Urbanization increases impervious surface cover, such as roads, driveways, and rooftops. These surfaces prevent infiltration of stormwater, which is forced to flow overland, creating significant erosion, pollution, or flooding problems. The purpose of managing stormwater is to control the quantity of stormwater runoff to reduce erosion and flooding, and to improve the quality of runoff to waterbodies and groundwater.

PART III: PROTECTING THE NATURAL ENVIRONMENT

7.5.1 Objectives

Stormwater management in the Township is needed to:

1. ensure that the constraints and opportunities associated with urban drainage are properly recognized and are integrated into community plans and designs;
2. reduce, to acceptable levels, the potential risk of health hazards, loss of life, and property damage from flooding;
3. reduce, to acceptable levels, the incidence of inconvenience caused by surface ponding and flooding;
4. ensure that the quality of stormwater reaching outlet-receiving waterbodies meets provincially accepted criteria;
5. ensure that any development or redevelopment minimizes the impact of change to the groundwater regime, increased pollution, increased erosion, or increased sediment transport, especially during construction; and
6. maintain the natural stream channel geometry, insofar as it is feasible, while achieving the above objectives.

7.5.2 Subwatershed Plans

It is the intent of this Plan to ensure that proper stormwater management practices are undertaken to foster sustainability of the urban subwatersheds and provide opportunities for the enhancement of our watercourses. Such plans will identify measures for stormwater quantity and quality control at a subwatershed scale in order to provide a coordinated strategy for stormwater management for all development within individual subwatersheds.

7.5.2.1 Policies

1. Priority for subwatershed plan development will be based on existing stormwater problems, sensitivity of the receiving waterbody, and/or development pressure.
2. Subwatershed plans will be developed as funding permits.
3. All subwatershed plans will incorporate the primary objective of no net increase in peak flow rates, unless a more stringent criterion has been identified. Subwatershed plans will also assess means of stormwater quality control to ensure the protection of urban subwatersheds and provide opportunities to improve the quality of receiving waterbodies.
4. Existing watercourses will be left in their natural state whenever possible. The banks must be able to convey either the Regional or 100-year storm peak flow.

PART III: PROTECTING THE NATURAL ENVIRONMENT

7.5.3 Site-specific Policies

The Township will apply Best Management Practices for stormwater management as well as the technical and procedural guidance provided in the current version of the MOECC's Stormwater Management Planning and Design Manual.

These documents will provide guidance for stormwater management measures applicable to the implementation of stormwater quantity and quality control measures for new development, redevelopment, and retrofit situations, including public infrastructure projects.

7.5.3.1 Policies

1. For all new developments, an overland flow route must be clearly defined to provide continuous overland drainage of major system flows to the nearest major watercourse. The overland flow route (major system) will be entirely contained within the road right-of-way or easements. Conveyance of the 100-year or Regional design storm peak flow is required.
2. Applications for industrial development in areas where there are no municipal stormwater services will require a Stormwater Management Report.
3. Applications for draft plan approval of subdivisions and site plan approvals in areas where a subwatershed plan has been completed will demonstrate, through a Stormwater Management Report, how the proposed development will provide stormwater management in accordance with the subwatershed plan.
4. Applications for draft plan approval of subdivisions and site plan approvals in areas where a subwatershed plan has not been finalized will include a Stormwater Management Report containing site-specific details as required by the Township.
5. A Stormwater Management Report will contain the following:
 - a. the overall drainage plan for the site, indicating upstream drainage areas conveyed across the site and the ultimate outlet (major overland flow route) from the site to the municipal drainage system;
 - b. a plan of proposed on-site stormwater quantity control measures that will satisfy downstream capacity issues. Post-development peak flow rates from the site will be limited to pre-development peak flow rates, unless detailed analysis shows that such storage is not required;
 - c. a plan for erosion control;
 - d. a description of the measures proposed to control stormwater quality on site. In particular, special measures must be proposed where a site is intended for industrial development; and
 - e. a general grading plan, illustrating conformance with the Township's overall stormwater management objectives.

PART III: PROTECTING THE NATURAL ENVIRONMENT

6. For areas where a subwatershed plan has not advanced in sufficient detail to define downstream stormwater management facilities or where a development will result in unacceptable peak flow increases downstream, on-site stormwater management (storage) facilities for peak flow control will be required.
7. For small sites where it is impractical to implement on-site stormwater management measures (due to size or local site conditions), Council may collect cash-in-lieu of on-site stormwater management facilities to apply towards a larger stormwater facility.
8. Developers of plans of subdivision are required to construct, maintain and monitor the operation of all on-site quality ponds at their expense for a minimum period of two years after completion of housing. On-site stormwater management facilities will be designed in a manner that is compatible with the surrounding environment. Where appropriate, such facilities should be connected to recreational trails.
9. Maintenance will consist of annual monitoring of sediment accumulation in the pond forebay and quarterly inspections for trash removal, as well as sediment removal and lawn mowing as required.
10. Stormwater management facilities for subdivisions will be on lands transferred at no cost to the Township, in addition to any lands required to be dedicated for park purposes under the *Planning Act*.
11. For those developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact a highway downstream, a stormwater management plan or report prepared in accordance with the Ministry of Transportation (MTO) requirements must be reviewed and approved by MTO.

8.0 NATURAL ENVIRONMENT

A healthy natural environment is critical to Armstrong's quality of life. Our forests, water, and wildlife are all part of a living system, contributing to clean air, soil, and water and to our overall well-being. Healthy and plentiful natural features and areas also attract people to live, work, visit, and invest in our Township. As such, significant natural features, areas, and functions, and their relationships must not be compromised in the growth of our Township and will be protected for long-term use.

The built environment is to be integrated with natural features, areas, and functions in a manner respectful of the natural system's limits.

For the purposes of this Plan, the Township's significant natural features and areas consist of:

- Habitat of Endangered and Threatened Species
- Wetlands
- Fish habitat
- Significant Wildlife Habitat
- Significant Areas of Natural and Scientific Interest
- Sites of Geological Interest

PART III: PROTECTING THE NATURAL ENVIRONMENT

At the time of preparation of this Official Plan, there have been Chimney Swift (Threatened) sightings within the Earleton Settlement Area and Lake Sturgeon is confirmed to utilize the northern portion of St. Jean Baptiste Creek. The addition of significant natural features and areas to the Land Use Schedules will not require an amendment to this Official Plan.

8.1 Objectives

It is the objective of the Natural Environment policies to:

1. ensure the continued existence of significant natural features and areas and their ecological functions in our Township;
2. protect and enhance the ecological integrity of natural features and areas;
3. achieve a balanced relationship between development and the natural environment by preserving natural features and areas; and
4. minimize the loss or fragmentation of natural features and areas.

8.2 Natural Heritage and Agricultural Uses

Nothing contained in Sections 8.3 to 8.6 is intended to limit the ability of agricultural uses to continue.

8.3 Significant Natural Features

Policies in this Plan place a high priority on maintaining, enhancing, and restoring significant natural features and areas and their functions.

8.3.1 Policies

1. Notwithstanding any land use permissions granted by this Plan, in certain circumstances an Environmental Impact Study (EIS) will be required to demonstrate that a proposed development will not negatively impact significant natural heritage features or ecological functions present on or adjacent to a proposed development site. Submission of the EIS will be the responsibility of the applicant. The EIS will be prepared in accordance with the EIS section of this Plan. The type of EIS required for a particular development proposal will be determined by the Township prior to or at the time of application.
2. In areas where, based on new evidence or experience, a significant natural feature or function is thought to exist in or adjacent to a proposed development, proponents may be required to prepare a scoped EIS in accordance with the EIS section of this Plan. Should the findings of the scoped EIS reveal the occurrence of a significant natural heritage feature or function, the proponent may be required to prepare a full EIS. The Township may waive the requirements for an EIS if sufficient evidence is available to show that there are no significant natural features and areas located on or adjacent to the subject property.

PART III: PROTECTING THE NATURAL ENVIRONMENT

3. Wherever an EIS is conducted, the Township may request a peer review that will be paid for by the development proponent.

8.3.2 Habitat of Endangered Species and Threatened Species

Endangered species and threatened species are of particular significance due to their low numbers and likelihood of disappearance without protection. Often, the disappearance of a particular species is closely linked to the loss of habitat. Loss of species and their habitats is growing problems worldwide, resulting in action by governments at all levels.

The Township maintains records of endangered species and threatened species that are present in the Township based on information provided by the MNRF. The dynamic nature and sensitivity of these records prevent them from being displayed in the Official Plan.

8.3.2.1 Policies

1. Municipal staff will determine the potential for habitat of endangered species and threatened species at the application stage of any new development or redevelopment proposals.
2. Development and site alteration are not permitted in habitat of endangered species and threatened species.

8.3.3 Wetlands

Wetlands require protection from incompatible development to protect the important water-related functions they provide. Wetlands filter pollutants and sediments and reduce shoreline erosion; functions which help keep our waterbodies clean and healthy. Wetlands can also have a role in groundwater recharge and discharge and help reduce flooding hazards. Finally, wetlands often provide important habitat for fish and wildlife.

Many of the environmental functions performed by a particular wetland are specific to the watershed within which the wetland is located. Wetland occurrence and sensitivity of individual wetlands will, therefore, be determined by the watershed planning process.

Provincially significant wetlands are identified and delineated by the MNRF through the provincial Wetland Evaluation System. Wetlands can be evaluated by MNRF staff or by other qualified professionals, provided that they use the approved Ontario Wetland Evaluation System methodology and have received MNRF training in the use of the Province's wetland evaluation system. In all cases, MNRF is responsible for reviewing and approving the evaluations. These wetlands merit special attention during land use planning to ensure that their significant features and functions are protected.

8.3.3.1 Policies

1. Site-specific wetland occurrence and EIS requirements will be determined by municipal staff prior to or at the time of application.

PART III: PROTECTING THE NATURAL ENVIRONMENT

2. Development and site alteration are not permitted in a wetland unless it can be demonstrated that there will be no impacts to the quality and quantity of surface water features that are hydrologically linked to the wetland and that losses of significant wetland features and functions will not occur.
3. Development and site alteration are not permitted in a provincially significant wetland unless it has been demonstrated that there will be no negative impacts on the natural features or its ecological functions.
4. Development and site alteration are not permitted on lands adjacent to a sensitive wetland or a provincially significant wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on natural features or ecological functions. Adjacent lands are considered to be within 50 metres of any sensitive wetland, and within at least 120 metres of a Provincially Significant Wetland. This area can be modified if justified by a study.

8.3.4 Fish Habitat

The Township is bisected by several streams. The Federal Fisheries Act and other provincial legislation protect all fish habitat from incompatible human activities, especially discharges and construction in water. The identification, evaluation and classification of fish habitat are the responsibility of the Federal Government of Canada. All fish habitat is to be protected from the carrying on of a work, undertaking or activity that result in serious harm to fish that are part of or support a commercial recreational or Aboriginal fishery..

In particular, natural vegetative buffers along stream banks are to be maintained to protect fish habitat. Buffer widths, as measured from the high-water mark, will depend on the characteristics of the buffer, terrain conditions, and the desired buffer function.

8.3.4.1 Policies

1. Development and site alteration are not permitted in known or potential fish habitat, unless in accordance with provincial and federal requirements.
2. All construction activities will be mitigated to prevent impacts on receiving waters.
3. All new development on lots adjacent to fish habitat will be required to demonstrate that no negative impacts will result from the development. Adjacent lands are considered to be within 120 metres of fish habitat. This area can be modified if justified by a study.

8.3.5 Significant Wildlife Habitat

Significant wildlife habitat is ecologically important and contributes to the quality and diversity of the Township. Although significant wildlife habitats are not shown on the Land Use Schedules, the following policy applies.

PART III: PROTECTING THE NATURAL ENVIRONMENT

8.3.5.1 Policies

1. Development and site alteration, including removal of vegetation, are to be sensitive to the critical habitat functions of known wildlife habitats. An EIS will be required to demonstrate that ecological features and functions will not be negatively impacted by the proposed development. Adjacent lands are considered to be within 120 metres of the wildlife habitat.

8.3.6 Significant Areas of Natural and Scientific Interest

An Area of Natural and Scientific Interest is identified as provincially significant by the MNRF because of its life science or earth science value related to protection, scientific study or education.

8.3.6.1 Policies

1. Development and site alteration is not permitted on lands in a significant Area of Natural and Scientific Interest unless it has been demonstrated that there will be no negative impacts on natural features or their ecological functions.
2. Development and site alteration is not permitted on lands adjacent to a significant Area of Natural and Scientific Interest unless it has been demonstrated that there will be no negative impacts on natural features or their ecological functions. Adjacent lands are considered to be within 120 metres of significant ANSIs for life science and 50 metres of a significant Area of Natural and Scientific Interest for earth science.

8.4 Forest Resources

Wise forestry practices ensure not only the production of wood and wood products, but also maintain and enhance forest ecosystem conditions and productivity, protect and conserve forest soil and water resources, conserve the biological diversity of the Township's forests, and provide sustainable economic and social benefits.

8.4.1.1 Policies

1. On private lands, recognize that forestry is a permitted land use in the Agricultural and Rural Areas.
2. On private lands that do not support production forests, retain trees and major woodlots, whenever possible, as one method of maintaining visual relief and conserving natural resources as well as natural wildlife corridors.

8.4.1.2 Programs

1. Council will consider passing a tree-cutting by-law under the Municipal Act in order to prevent misuse of forest resources that can result from poor land use practices, and as a means of retaining trees and major woodlots in order to maintain visual relief and conserve natural resources.

PART III: PROTECTING THE NATURAL ENVIRONMENT

8.5 Urban Tree Canopy

In the Township's urban area, trees provide environmental benefits, including air quality improvement, stormwater retention, summer cooling of the built environment, wildlife habitat, shade canopy, and beautification of our streets and neighbourhoods.

To enhance the urban tree canopy, this Plan supports the development of a municipal tree planting initiative to increase the tree cover in the Township's Living Areas and Employment Areas.

8.5.1.1 Policies

1. In order to protect and improve the urban tree canopy, applications for subdivision or site plan approval may require a landscape plan. The plans will include the following:
 - a. a description of how natural vegetation is being retained as much as possible;
 - b. the identification of trees or stands to be retained;
 - c. measures to protect trees to be retained during and after construction;
 - d. a description of vegetation and trees to be removed and replacement strategy and measures;
 - e. a detailed planting plan to illustrate proposed replacement strategy and measures for lost vegetation, including trees; and
 - f. the use of native species wherever possible.
2. Municipal road improvement projects will be designed to include the provision of trees, where appropriate, in order to enhance urban aesthetics and to provide shade canopy and other environmental benefits.

8.6 Environmental Impact Studies

Two types of EIS exist - the scoped EIS and the full-site EIS. The nature of the proposed development and its setting will determine the appropriate type of EIS to be applied.

A scoped-site EIS addresses the EIS requirements in an abbreviated report form or checklist prepared by the development proponent or an environmental professional. A scoped-site EIS is usually applied to minor developments, such as single-lot severances, or where negative impacts are known to be minor based on experience with local conditions. The exact requirements of the scoped-site EIS will be established through consultation with municipal staff.

A full-site EIS is prepared by a qualified professional retained by the proponent for development proposals where the scoped-site EIS is insufficient to address potential impacts. A full-site EIS requires a greater level of detail appropriate to the scale of the proposed development. A qualified professional will prepare the full-site EIS.

PART III: PROTECTING THE NATURAL ENVIRONMENT

8.6.1 Policies

1. A full-site EIS includes:

- a. a map showing the location of the study area, including the location and extent of any natural feature and the location of the proposed development;
- a. a description of the natural features and their ecological functions in the study area;
- b. a description of the proposed development;
- c. a description of the proposed development's impacts on the natural features and ecological functions (all phases of the proposed development, including post-construction, to be considered);
- d. a description of the actions that may be reasonably required to prevent, change, minimize, or mitigate impacts on the natural features and functions that could result from the proposed development;
- e. an evaluation of cumulative effects that the proposed development, in light of existing development and activities in the area, may have after mitigation on natural features and ecological functions;
- f. a professional opinion as to whether or not the proposed development will have negative impacts on natural features and ecological functions; and
- g. a description of monitoring activities to be undertaken (and identification of those responsible for the monitoring) to ensure that the mitigative measures are having the desired effects.

9.0 PROTECTING PUBLIC HEALTH AND SAFETY

Various naturally occurring and human-made conditions can result in hazards to human health and safety and damage or loss of value to property. The natural hazards identified by this Plan are flood-prone areas and unstable soils. Hazards that are the result of human activity are mine hazards, including abandoned pits and quarries (AMIS sites), contaminated sites, and waste disposal areas. Lands impacted by these conditions or constraints are identified on the Land Use Schedules. The Schedules will be amended as additional information on hazard lands becomes available.

It is the intent of this Plan to monitor and manage development in areas that are susceptible to these hazards. New development will only be permitted on such lands if the Township is satisfied that there will not be any risk to public health and safety. The policies in this section are intended to eliminate the potential risks such lands may pose to human life and property, thus facilitating the safe development of land.

Planning decisions shall consider the potential of climate change to increase the risks associated with natural hazards.

PART III: PROTECTING THE NATURAL ENVIRONMENT

9.1 Objectives

It is the objective of these policies to:

1. identify existing and potential hazards that are constraints to development and threats to life or property;
2. protect residents from natural and human-made hazards;
3. ensure that development on or near natural and human-made hazards recognizes and mitigates the potential adverse effects of those hazards; and
4. outline the Township's requirements for site assessment and cleanup prior to the granting of planning approvals.

9.2 Flooding Hazards

Flooding hazards means the inundation, under specific conditions, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water.

It is the goal of this Plan to minimize and eliminate risks to life and property resulting from flooding. Development will not be permitted where there is an unacceptable risk to public health or safety or of property damage.

It is the responsibility of the MNRF to determine the specific conditions associated with the St. Jean Baptiste Creek (stream system).

Should the MNRF complete Flood Plain mapping, this information will be added through an amendment to the Official Plan.

9.2.1 Policies

1. Because flooding and related hazards may cause loss of life and may result in damage to property, development in Flood Plains is generally restricted. In addition, no development is permitted within 15 metres of any Flood Plain boundary. Only uses that, by their nature, must locate within the Flood Plain, including flood and/or erosion control works or minor additions or passive non-structural uses that do not affect flood flows are permitted.
2. Severances, subdivisions, change in land uses, permanent new buildings and structures, and private sewage disposal systems will not be permitted within the Flood Plain, except those severances for passive non-structural uses and associated with roads, drainage, erosion control, utilities, flood protection, agriculture, forestry, and outdoor recreation. No building or structure may be erected without the written permission of the MNRF.
3. Any alterations to the terrain within the Flood Plain that may have an effect on drainage and the erection of any structures must first receive the approval of the MNRF.

PART III: PROTECTING THE NATURAL ENVIRONMENT

9.2.2 Existing Structures in the Flood Plain

Those buildings and structures existing within the Flood Plain on the date of the adoption of this Plan may be recognized as permitted uses in the implementing Zoning By-law. The improvement, expansion, alteration, and replacement of existing structures lying in a Flood Plain may be permitted by site-specific amendment to the Zoning By-law provided that existing hazards are not aggravated. Appropriate flood protection measures will meet the approval of the MNRF.

9.3 Unstable Slopes and Organic Soils

In some instances, the nature of the soil can be hazardous, particularly if it is susceptible to erosion and collapse. This Plan recognizes that there are areas of land in Armstrong that have soils unsuitable for normal building practices, thus posing a risk to public safety and property. Final decisions on matters relating to unstable slopes are subject to the MNRF approval. Development will not be permitted where there is an unacceptable risk to public health or safety or of property damage.

Along the St. Jean Baptiste Creek, a concern has been identified as to the soil stability because of possible undercutting of the bank. Therefore, a 30 metre reserve from the top of the bank has been established for all development.

9.3.1 Policies

1. Development is discouraged in areas with known or suspected unstable soils.
2. In order for development to be permitted in these areas, the Township will require a geotechnical study to support applications for subdivisions and consents. The geotechnical study must provide information to indicate that:
 - a. although the site is identified as having unstable soils, it is, in fact, suitable or can be made suitable for development by accepted engineering techniques; and
 - b. alterations to the site will not cause adverse environmental effects, create new hazards or aggravate the hazard elsewhere.

9.4 Wildland Fire

Wildland fire is an important natural disturbance in Ontario's forests and grasslands. Fire renews the forest, creates healthy natural habitat, and provides diverse landscapes. Wildland fires can also pose a risk to public safety and values such as communities, property, timber supply and infrastructure.

9.4.1 Policies

2. 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

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where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by MNRF. MNRF's wildland fire assessment mapping for the Township has been included in Appendix "A."

3. 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.
4. Lands determined to be of high to extreme risk for wildland fire may be designated as site plan control areas.
5. 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.

9.5 Karst Topography

Karst topography generally forms on limestone and dolostone plains and is marked by sink or karst holes, interspersed with abrupt ridges and irregular protuberant bedrock underlain by caverns and other features that influence the flow of surface and groundwaters. Karst topography is ephemeral and controlled by past and present climatic and local weather conditions. Due to its geological characteristics, karst topography presents a potential hazard to development.

9.5.1 Policies

1. Development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated.
2. In areas suspected to have Karst topography, the following shall be undertaken for any *Planning Act* or Building Permit application to assess for the presence of karst topography and to mitigate against any potential hazard:
 - i. A Phase 1 Desktop Evaluation and Site Visit, undertaken by a qualified geoscientist with knowledge and experience in identification of karst topography, shall be undertaken to determine the potential for the presence of karst hazard.
 - ii. Should the evaluation identify the presence of karst features and / or karst terrain characteristics, a Phase 2 Field-Based Karst Investigation will be required. A Phase 2 evaluation will include a terms-of-reference, completed in consultation with appropriate the appropriate approval authority and / or any relevant agencies which outlines the investigation type that will be undertaken for the subject lands.

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- iii. In areas where a Phase 2 evaluation confirms the presence of a karst hazard, a geotechnical study, hydrogeological study, and land use compatibility study shall be undertaken by qualified individuals to assess impacts and risks, identify compatible land use activities, and establish mitigation measures which may include buffer zones.

9.6 Contaminated Sites

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

Current mapping showing contaminated sites was not available at the time this Official Plan was drafted.

9.6.1 Policies

1. In order to ensure that there will be no adverse effects from any proposed development or redevelopment, environmental site assessments and remediation of contaminated sites are required by this Plan prior to any activity or development occurring on the site that is known or suspected to be contaminated. The Township will require the proponent of development on such sites to determine the nature and extent of contamination and the necessary remediation measures in accordance with the policies below.
2. The Township will require all applications for development in areas known or suspected of former land use activities that may lead to soil contamination be supported by a Phase I Environmental Site Assessment (ESA).
3. Where a Phase I ESA reveals that a site may be contaminated, a Phase II ESA will be required. A Phase I or II ESA is an assessment of property conducted in accordance with Part XV.I of the EPA and Ontario Regulation 153/04, or their successors by or under the supervision of a qualified person to determine the location and concentration of one or more contaminants on the site proposed for development.
4. Prior to a development being approved on a site where information reveals that the site may be or is contaminated, the applicant will provide a Record of Site Condition in accordance with Part XV.I of the EPA and Ontario Regulation 153/04 or their successors. The Record of Site Condition, which details requirements related to site assessment and cleanup, must be acknowledged by the MOECC and uploaded to the Environmental Site Registry, confirming that the site has been made suitable for the proposed use. The Record of Site Condition and MOECC acknowledgment will be provided to the Township. If a Certificate of Property Use (CPU) is required, it will be required to be registered on title.
5. All contaminated lands will be subject to site plan control.

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9.6.2 Programs

1. The Township may consider financial and other incentives to promote the redevelopment and reuse of brownfield properties that are subject to environmental constraints.

9.7 Other Health and Safety Concerns

9.7.1 Waste Management

The existing or prior use of the lands for the management of waste may have an effect on future uses of these lands and possibly adjacent lands. In recognition of this, Waste Management Areas identify lands that are within the 500 metre area of influence from the property boundary of an open site or the fill area of a closed site. These areas are regulated in order to protect public health and safety and ensure land use compatibility.

9.7.1.1 Objectives

Council's objectives for the provision of waste management infrastructure services are as follows:

1. To ensure waste management uses are environmentally sustainable.
2. To provide appropriate waste management infrastructures that support ongoing development.

9.7.1.2 Policies

1. Wastewater and solid waste disposal sites will be identified as Waste Management Policy Area on Schedule "B". The establishment of new sites (e.g. landfill) shall be in accordance with MOECC Guidelines and Regulations and shall require an amendment to the Official Plan.
2. Wastewater and solid waste disposal sites shall be appropriately zoned in the Zoning By-law.

9.7.1.3 Land Use Adjacent To Wastewater or Solid Waste Management Sites

Earlton's Lagoons are located on Part of Lot 8, Concession IV, Township of Armstrong.

The Certificate of Approval indicates an average daily raw sewage flow of 743 m³/day based on an average of all of the daily measured flows throughout the year. According to the MOECC Guidelines, the following are recommended separation distances:

1. Sewage Treatment Plant with Capacity Greater than 500 m³/d but Less than 25,000 m³/d
 - a. The minimum separation distance will be 100 metres. The recommended separation distance will be 150 metres.

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2. Waste Stabilization Ponds (Lagoons)

- a. The recommended separation distance varies from 100 to 400 metres, depending on the type of pond and characteristics of the waste.

9.7.1.3.1 Policies

1. Established around active or closed landfill sites are reserves or buffers that prohibit development to ensure no environmental problems and/or health concerns arise from the effects of waste material previously stored there. A 30 metre reserve from the actual fill area of a site has been established for all development. Also, a reserve or buffer has been established around the sewage treatment facility within the site's land parcel. No development, other than that related to the operation of the treatment facility, will be permitted within the reserve or buffer.
2. Development within 150 metres of existing wastewater management sites and 500 metres from a solid waste management site will generally be discouraged unless supported by an appropriate study or studies that confirm there will be no negative impacts on the proposed development related to the adjacent wastewater or waste disposal site. In addition, the study(s) will confirm that the proposed development will not impact future expansions of the waste disposal site in question.
3. Separation distances will normally be measured from the periphery of the odour producing source structure to the property line of the sensitive land use for a wastewater treatment facility, or from the boundary of the fill area (footprint) specified in the Certificate of Approval (or property line for closed sites where no Certificate of Approval is available) to the property line of the sensitive land use for a solid waste management site.
4. In reviewing development proposals adjacent to such disposal sites, the approval authority shall consult the appropriate MOECC Guidelines.
5. The Zoning By-law will zone adjacent lands appropriately, prohibiting new incompatible uses that cannot be reasonably mitigated. In accordance with the *EPA*, no adverse effect is permitted.
6. In areas subject to these policies, only uses compatible with the identified potential impacts may be permitted by an amendment to the Zoning By-law.

9.7.2 Mine Hazards and Abandoned Pits and Quarries

Mine hazards may include any feature of a mine or any related disturbance of the ground that has not been rehabilitated to the prescribed standard, posing a risk to human safety, environment, and property. The Township is not aware of any significant abandoned mines within the municipal limits. However, should a proponent for a development application be aware of any mine hazards in the vicinity of the site of an application, the proponent is advised to determine the status of subsurface rights ownership for properties within one kilometre of known mine hazards. The approximate locations of known mine hazards will be shown on the Land Use Schedules as AMIS (Abandoned Mines Information System) sites.

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Abandoned pits and quarries are an area of land from which aggregate has been removed, leaving it in a form that is derelict, unproductive or incompatible with the surrounding landscape.

9.7.2.1 Policies

- a. Mine hazards and abandoned pits and quarries will be rehabilitated and safety hazards mitigated prior to the approval of new development.
- b. Any development within one kilometre of mine hazards is required:
 - i. to consult with the MNDM or the MNRF, as appropriate, and
 - ii. to conduct an impact assessment to determine whether hazards exist and, if so, whether suitable rehabilitation can be undertaken to allow development to occur.
- c. Any development on, abutting or adjacent to lands affected by abandoned pits or quarries must be supported by a study undertaken by a qualified person that:
 - a. identifies any potential safety hazard;
 - b. demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard;
 - c. establishes procedures for site rehabilitation and mitigation of the safety hazard; or,
 - d. provides evidence that potential hazards do not exist on the site.

9.7.2.2 Program

1. The Township will work with the MNDM to develop a protocol to be followed prior to decisions on proposals for development on, abutting or adjacent to Potential Mine Hazards.

9.8 Noise, Vibration, Dust and Odours

Generally, potential noise problems are best addressed through land use planning approaches that separate noise-generating uses from housing and other noise-sensitive land uses.

Noise, vibration, dust and odour impacts shall be addressed for new sensitive land uses adjacent to existing railway lines, highways, sewage treatment facilities, waste management sites, industries, or aggregate extraction operations, or other stationary or line sources where noise and vibration may be generated. Council may require the proponent to undertake noise and/or vibration, and/or dust, and/or odour studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in MOECC Guidelines, "Noise Assessment Criteria in Land Use Planning". Noise and/or vibration and/or dust and/or odour attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.

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9.8.1 Rail Noise and Vibration

Dwelling units and other noise-sensitive uses are prohibited within 30 metres of a railway right-of-way.

Council may require the undertaking of a noise control study where proposed noise-sensitive development would be located within 500 metres of a railway right-of-way. Such study will be undertaken to the satisfaction of the Township and the MOECC, in consultation with the appropriate railway. Appropriate measures to mitigate any adverse effects from noise will be implemented in accordance with the recommendations of the study.

Council may require the undertaking of a vibration study where proposed vibration-sensitive development would be located within 75 m of a railway right-of-way. Such study will be undertaken to the satisfaction of the Township and the MOECC, in consultation with the appropriate railway. Appropriate measures to mitigate any adverse effects from vibration will be implemented in accordance with the recommendations of the study.

All proposed development adjacent to railways will ensure that appropriate safety measures, such as setbacks, berms, and/or security fencing are provided, to the satisfaction of the Township. Council may consult with the appropriate railways.

9.8.2 Noise from Airport

New residential developments and other sensitive land uses will not be permitted where noise levels exceed 30 Noise Exposure Forecast (NEF) contour of the Earlton-Temiskaming Regional Airport. This area was defined in the Township's Airport Noise Study and shown on the Land Use Schedules.

The redevelopment of existing residential uses and other similar noise-sensitive land uses, or the infilling of residential areas and other noise-sensitive land uses may be considered above the 30 NEF contour provided a noise control study, prepared by, and at the cost of, the Applicant, can demonstrate that the development has no negative impacts on the long term functioning of the airport.

9.8.3 Noise from a Provincial Highway

Within the Rural area of the Township, the siting of residential uses and other noise-sensitive uses are prohibited within 45 metres of the limit of a Provincial Highway. Council may require the undertaking of a noise control study where proposed noise-sensitive development would be located within 250 metres of a Provincial Highway. Such study will be undertaken to the satisfaction of the Township and the MOECC, in consultation with the MTO. Appropriate measures to mitigate any adverse effects from noise will be implemented in accordance with the recommendations of the study.

9.8.4 Noise from a Stationary Source

Based on MOECC Guidelines, stationary sources of noise are defined as all sources of sound and vibration, whether fixed or mobile, that exist or operate on a premises, property or facility, the combined sound and vibration levels of which are emitted beyond the property boundary of

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the premises, property or facility, unless the source(s) is (are) due to construction. Typical individual sources of noise include generators, commercial fans or commercial air conditioners. Industrial facilities and other facilities that include more than one source of noise are considered as a single source, for the purposes of a noise control study. Other facilities that are considered as stationary sources of noise include snow disposal sites, carwashes, motor and vehicle maintenance and repair facilities, and transportation terminals. Sources of noise excluded from stationary sources, in accordance with MOECC Guidelines, include construction activities, gas stations, music and people noise, and retail facilities, such as convenience stores, where goods are delivered infrequently.

The assessment and mitigation of noise impacts from stationary sources is complex because stationary source noise involves a broad range of land uses and activities. For this reason, noise levels will be per the MOECC's Guidelines for new sources of stationary noise.

Council may require a noise control study for development applications that propose new noise-sensitive uses in proximity to existing sources of stationary noise, as described in the MOECC Guidelines. If existing noise levels exceed the sound level criteria for stationary source noise, then mitigation measures will be required.

Council may require a noise control study for development applications that entail construction of new sources of stationary noise or changes in land use that may introduce new sources of stationary noise that are in proximity to existing noise-sensitive land uses, as described in the MOECC Guidelines. If projected noise levels exceed the sound level criteria for stationary source noise, then mitigation measures will be required.

Council will apply the criteria in the MOECC Guidelines where the expansion or alteration of an existing stationary source of noise is proposed, or where a change of use of a stationary source is being proposed, which could result in an increase in noise from the new use. Such proposals typically are made in the context of a building permit and require a Certificate of Approval from the MOECC.

9.8.5 Noise Barriers

Noise is regulated better by land use planning than by noise barriers. The extensive use of noise barriers within or adjacent to a community can result in undesirable streetscapes and views. To improve the quality of the streetscape, communities will be designed to the extent possible to provide noise attenuation through planning and design. Approaches include locating noise-sensitive uses away from areas likely to receive unacceptable noise levels, locating commercial and employment uses along busier roads, or using service roads (also referred to as "single-loaded" roads). Other measures include site planning techniques, architectural design, and selection of appropriate building components. Where the use of noise barriers is unavoidable, the visual impact of the barrier will be mitigated through the use of berms and landscaping.

To improve the quality of the streetscape, communities will be designed to the extent possible to provide noise attenuation through land use planning and design. Noise barriers may only be used where other noise attenuation methods are not feasible. The need for a barrier will have to be justified and approved by Council.

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9.8.6 Warning Clauses

In some cases, control measures may be required to achieve the sound level criteria established in the MOECC Guidelines. In such cases Council may require that appropriate warning clause(s) be included on title to advise purchasers or occupants of expected noise levels and other recommended noise control measures.

9.8.7 Incompatible Land Uses

Every effort will be made to prevent or minimize future land use conflicts that can arise when incompatible land uses develop in close proximity to one another. MOECC Guidelines on Land Use Compatibility will be applied when preparing and adopting local Zoning By-laws, when considering amendments to this Official Plan and when reviewing land division applications.

9.8.7.1 Policies

1. Incompatible land uses will be appropriately buffered from each other in order to prevent adverse effects from noise, vibration, and odours. Potential sources may include major roads, railways, and industrial operations.
2. To assist in identifying the necessary mitigation measures, a development proponent may be required to conduct a study in accordance with guidelines established for this purpose.

9.9 Minimum Setbacks from Pipelines

TransCanada Pipelines Limited is regulated by the National Energy Board, which, in addition to TransCanada, has a number of requirements regulating development in proximity to the high pressure natural gas pipelines, and related compressor station. The requirements include the following:

- I. The Township requires pre-consultation with TransCanada or its designated representative for any development proposal within 200 metres of the above-noted facilities;
- II. Activities on or within 30 metres of the right-of-way, such as excavation, blasting, and any movement of heavy equipment must be approved by TransCanada;
- III. No permanent building or structure may be located within 7 metres of the pipeline right-of-way, and a reduction in the 7 metre setback will only be considered if it can be shown to the satisfaction of TransCanada Pipelines Limited that it will not compromise the safety and integrity of the pipeline;
- IV. No building, structure or accessory structure is permitted within 3 metres from the limit of the right-of-way; and
- V. Where development is proposed in close proximity to the TransCanada compressor station, a noise and vibration study to be carried out by TransCanada (at the expense of TransCanada) may be required for development proposals within 750 metres of the

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compressor station in order to determine if provincial guidelines can be achieved and, if necessary, what mitigation measures are required.

9.10 Land Use Compatibility

1. In reviewing any development application, the Township shall be satisfied that the proposed use will be, or can be made to be compatible with surrounding uses in accordance with the MOECC's Guidelines. Compatibility may be achieved in a variety of ways. It may be a separation distance that is appropriate to the particular uses. It may be buffering features, such as a berm, wall, fence or landscaping, or a combination of these features. It may also consist of an intervening land use that would be compatible with both of the conflicting uses. Where buffering provisions are the means to be used to ensure compatibility, such provisions will be determined through the implementing Zoning By-law and site plan approval process. Buffering may also be achieved by the natural physical features of the land.
2. The concept of an influence area is recognized as a means to provide mutual protection from encroachment by incompatible uses for either sensitive land uses or existing or proposed operations (e.g. agricultural, industrial, aggregate related, etc.). Recommended separation distances found throughout this Plan serve to address public health and safety concerns, environmental impacts, land use impacts, and any other adverse effects.

9.11 Minimum Distance Separation Formulae

1. All new development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.
2. The Township will require compliance with the MDS1 requirements for any proposal to expand the Earleton Settlement Area land use designations.
3. The Township will treat cemeteries in compliance with the Minimum Distance Separation Implementation Guidelines.
4. Notwithstanding, the Township does not require compliance with the MDS1 requirements in the following situations:
 - a. proposed non-agricultural uses within the Earleton Settlement Area land use designations;
 - b. surplus farm dwelling severances; and
 - c. where there are four, or more, existing non-farm uses closer to the subject livestock facility and in immediate proximity to the development application.
5. The Township will require compliance with MDS 2 requirements for any expansion to an existing livestock facility within the Earleton Settlement Area land use designations. Construction of a livestock facility that is replacing a former livestock facility destroyed by

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a catastrophe is permitted provided that the new livestock facility does not result in increases for values of Factor A, B or D, compared to what existed at the livestock facility prior to the catastrophe.

PART IV: INFRASTRUCTURE

Infrastructure refers to the construction and maintenance of roads, bridges, structures, and railway lines required for transportation services, the physical supply and distribution of water, the collection and treatment of wastewater, the management of stormwater, the collection and disposal of solid waste, the construction and maintenance of energy production and distribution facilities such as hydroelectric structures, wind and solar energy facilities and gas pipelines, and finally, the development of communication facilities such as transmission towers and underground telephone and fibre optic lines. Infrastructure policies also take into consideration the ongoing development of multi-purpose recreational trails by the Township and local municipalities.

The objective of these policies is to ensure that effective infrastructure services will be provided by the appropriate level of government or the private sector in a cost efficient manner that recognizes development priorities and that ensures the protection of our environment.

Planning for infrastructure, electricity generation facilities and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so they are:

- a. financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b. available to meet current and projected needs.

The Planning Act requires that infrastructure expansions conform to the Official Plan. The *Development Charges Act, 1997* and associated regulation requires that the Council must indicate, in an approved Official Plan, capital forecasts or similar expression of the intention of the Council, that it intends to ensure that an increase in the need for service will be met (see *Development Charges Act*, paragraph 3 of Section 5(1)).

10.0 TRANSPORTATION

The management of the roadway infrastructure in the Township of Armstrong is shared between the Province and the Township. The transportation system is composed of a Provincial Highway, and public roads opened and maintained on a year-round basis.

Sidewalks, bike lanes, bike paths, and walking trails need to be fully integrated components of the overall transportation system, providing safe access for pedestrians and cyclists supported by good urban design principles. Opportunities to engage in recreational and leisure activities are also tied to the transportation network.

The transportation network is shown on Schedules “A” and “B”.

10.1 Objectives

It is the objective of the transportation network policies to:

- i. ensure that the existing transportation network is maintained in a state of good repair;

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- ii. ensure that the transportation network provides safe, convenient, and efficient movement for all people and goods in Armstrong;
- iii. support the expansion of the transportation network as demand justifies and ensure that improvements occur in a safe, efficient, environmentally sound, and aesthetically pleasing manner;
- iv. promote all travel modes, including walking and cycling;
- v. consider the needs of the physically challenged in the planning and design of all aspects of the transportation network; and
- vi. support programs that aim to reduce the environmental impacts of certain modes of transportation.

10.2 Roads

The road system in the Township is under the jurisdiction of two levels of government.

The two levels and the roads within each jurisdiction are as follows:

10.2.1 Provincial Highways

Highway No. 11 is under Provincial jurisdiction and subject to the MTO policies and regulations. In this regard, the MTO regulates building and land uses within 45 metres of the highway right-of-way and the areas within 395 metres of the centre point of the intersection of Highway 11 and any intersecting road. In addition, the Ministry also regulates up to 800 metres from the limit of any highway for any land use that will generate large amounts of traffic or cause people to congregate in large numbers.

Traffic studies may be required for any development proposal within the MTO regulated area. All development proposals within these limits should be circulated to the MTO for comment and approval and be satisfactory to the Township.

Council will work in collaboration with the MTO to prepare a set of Design Guidelines for development adjacent to Highway No. 11. Proposed development adjacent to Highway No. 11 will be required to conform to these Design Guidelines. These Guidelines will be implemented through the subdivision and site plan approval processes.

10.2.2 Secondary Highways

Secondary Highways No. 562 and 571 presently serve the Township and are subject to the MTO policies and regulations.

Where development is proposed adjacent to a Secondary Highway, approval for an entrance must be obtained from the MTO in accordance with the Ministry safety and operational requirements and the policies of this Plan and where no alternate access is available via a publicly maintained side road. The MTO Guidelines and policies will also be used in determining building setbacks from Secondary Highways.

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10.2.3 Municipal Roads

The municipal roads are under municipal jurisdiction and are maintained year-round. Direct access to these roads will only be permitted in locations that can accommodate traffic in a safe manner. Where sight deficiencies exist because of curves or grades, no new access will be permitted unless the deficiency is corrected in a manner acceptable to the Township, at the proponent's expense.

New entrances will not be established unless a permit is issued by the Township. Where the Township determines that a culvert is necessary, it may be installed by the Township at the owner's expense or by the owner under the supervision of the road superintendent to the satisfaction of the Township.

10.2.4 Scenic or Heritage Roads

Various roads within the Township have the potential to be considered as a scenic or heritage road. These roads have scenic or historic value or provide access to areas of scenic or historic value.

1. The Township, with the assistance of the Heritage Committee, may undertake a program for the identification and classification of scenic or heritage roads. Specific design standards may be established for scenic and heritage roads that reflect and enhance their values.
2. In reviewing development proposals adjacent to scenic or heritage roads, consideration will be given to whether the proposal is compatible with the values and function of the road. Where the effects of non-compatible development on scenic or heritage roads cannot be mitigated, the development may be refused.
3. The Town may require a Heritage Impact Study to be submitted for any development that is proposed adjacent to a scenic or heritage road.

10.2.5 Private Roads

A private road is defined as a road under private ownership that serves two or more legally conveyable lots and may include a right-of-way registered on title. A driveway provides access to only one property or legally conveyable lot, despite the length of the access.

- I. There is no legal obligation on the part of the Township to maintain or repair private roads or otherwise provide services to any development located on a private road, nor is there any responsibility acknowledged for the provision of school bussing.
- II. New private roads shall be developed under agreement with the Township and will be required to meet a minimum standard of construction and maintenance to ensure that access can be gained for emergency vehicles in accordance with the Ontario Building Code. New private roads shall only be developed as roads internal to condominiums.
- III. The Township may, at its sole discretion, register notice on title or require that an owner enter into an agreement acknowledging that the Township will not be responsible for the repair or maintenance of private roads or the provision of services to any development

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located on a private road, and further, that the Township may not be able to provide emergency services to development located on a private road due to the condition of the road.

- IV. The design and construction of a private road will be undertaken by a professional engineer or other persons competent in road construction, as approved by the Township.
 - V. In circumstances where a private road is not being maintained to an acceptable standard, the Township may make improvements to bring the road to an appropriate standard and assess any costs relating to the work to the relevant parties. This action shall not be interpreted as the Township assuming responsibility for the private road.
 - VI. The use of unopened road allowances as lanes to gain access to year-round residential development shall be discouraged. Private roads may be permitted to cross unopened road allowances with the permission of the Township.
7. The Township may develop guidelines for the construction of new private roads.

10.2.6 Functional Roads Classification

The road network in the Township will be maintained and developed in accordance with the functional classification of each road, while having regard for the policies of the MTO. The functional classification of the existing and future road network is identified on Schedules “A” and “B” or as defined in accordance with the hierarchy as set out below.

10.2.6.1 Provincial Highways

Development that falls within the MTO’s permit control areas under the Public Transportation and Highway Improvement Act is subject to the requirements of MTO. The following table summarizes the MTO’s permit control areas under the Public Transportation and Highway Improvement Act:

An MTO Permit is Required If You Want To	Within A Distance of...
Place a building, structure, entrance or any road	45 m of the limit of any highway 180 m of the centre point of any intersection (on King’s highways) 395 m of the centre point of any intersection or interchange (on controlled-access highways)
Place a sign	400 m of the limit of the highway
Change the use of land in a way that will generate large amounts of traffic. All roads are considered to be large traffic generators.	800 m of limit of the highway

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Direct access will be discouraged and often prohibited. Furthermore, the location of buildings, signs, and encroachments within the MTO's permit control area of a Provincial Highway shall be subject to the approval of MTO.

For major development proposals for large traffic generators within the permit control area of a Provincial Highway, the MTO will require an applicant to prepare a transportation impact assessment in accordance with its "General Guidelines for the Preparation of Traffic Impact Studies." The main purpose of a Traffic Impact Study is to demonstrate how the transportation impacts of a proposed development or redevelopment can be mitigated and addressed in a manner that is consistent with the objectives of the MTO. The Traffic Impact Study also serves as the basis for the identification and evaluation of transportation related improvements or measures to be included as a condition of access approval, including funding, for the development or redevelopment.

The Township will encourage development proponents along Provincial Highways to ensure outdoor storage and loading areas are visually screened or appropriately located and not visible to the travelling public, in order to ensure these uses are not a distraction to the travelling public.

The Township and the MTO will work cooperatively with respect to the planning of land development and associated access connections within the MTO's permit control area adjacent to the Provincial Highway within the Township, in order to protect for the future safety, operation, and capacity of both the Provincial Highway network and the Township's transportation corridors for the movement of people and goods.

The Ministry of Transportation (MTO) policy is to allow only one highway entrance for each lot of record. MTO will restrict back lots that do not have frontage on a Provincial highway from using other property owner's entrances. New cottages or developments that do not have frontage on a provincial highway must gain access from a new or existing municipal public road that meets MTO access management practices and principles.

10.2.6.2 Collector Roads

Collector roads typically carry moderate volumes of short distance traffic from local roads to major roads. These roads may carry between 300 to 500 vehicles per peak hour.

Collector roads are usually two lanes, undivided, in rights-of-way of between 20 and 23 metres. The number of lanes is not likely to increase, since the anticipated volumes of traffic can be accommodated by a two lane road. The rights-of-way may be increased, however, to accommodate such needs as sidewalks, wider right lanes to enable safe and proper side-by-side sharing of the road by cycles and motor vehicles, cycle facilities, utility services, and landscaped boulevards.

Access to collector roads from adjacent properties is generally acceptable; however, where higher traffic volumes are anticipated, the number of access points will be minimized.

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10.2.6.3 Local Roads

Local roads typically carry low traffic volumes short distances. They distribute traffic from individual properties to collectors, major collectors, and arterials. These roads generally carry less than 1,000 vehicles per day (approximately 100 vehicles in the peak hour).

Local roads are usually two lanes in rights-of-way of up to 20 metres wide. In addition to the lanes, sidewalks, grassed boulevards, street signs, and utilities occupy the rights-of-way. For local roads with rights-of-way of less than 20 metres, widenings may be necessary to allow for the provision of municipal services.

Access from driveways on individual properties to local roads is acceptable.

10.2.6.4 Design Criteria

1. The Township will have regard for, but not be limited to, the following road-related considerations when reviewing new development proposals:
 - a. the design of the road provides for the safe movement of vehicles and pedestrians;
 - b. the carrying capacity of the adjacent roads is sufficient to accommodate the anticipated traffic generated by the proposed development, as well as anticipated growth in levels of background traffic; and
 - c. the carrying capacity of existing and proposed collector roads will be protected by:
 1. the use of shared access, where appropriate, for new development;
 2. limiting the number of entrances/exits for non-residential developments located adjacent to these roads;
 3. discouraging the intersection of local streets through the land subdivision process; and
 4. the new roads will provide access to lands designated for development that are currently underdeveloped or underutilized and are required to meet the future needs of the Township.
 - d. The Township will ensure that all roads in its jurisdiction are maintained in a safe condition. Priority for road repair will be given to those roads where such repair reduces the need for major reconstruction of the roads, as determined through the Municipal Capital Budgeting process. Priority will also be given to the special road maintenance needs of cycles.

10.3 Rights-of-Way Widening

The Township may require land to be conveyed to the appropriate road authority at no cost for the purpose of widening the existing road right-of-way as a condition of severance, subdivision

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or site plan control approval. The required lands for road widening will be in accordance with the functional classification of the road outlined in Section 10.2.8.

Land for widening of the road right-of-way shall generally be sought equally from both sides of the right-of-way. In certain situations, exemptions or modifications to the requirements may be necessary to reflect site constraints, existing physical development or encroachments, placement of buildings, heritage structures, scale of proposed development, and pedestrian safety.

10.4 Parking

Parking is an integral component of the road transportation system. Therefore, it is the policy of this Plan to ensure that the location and design of parking facilities encourage the efficient and safe functioning of the transportation system.

- I. The Township will have regard to the following factors when considering the approval of individual parking lots and the parking component of a larger development:
 - a. access and exit to parking areas will be located so that:
 - i) visibility of other vehicles is not hindered by inadequate sight triangles or buildings set too close to public streets or the internal road system;
 - ii) visibility is maintained between vehicles entering/exiting the site and pedestrians along the property frontage in order to minimize conflict between the two modes of travel;
 - iii) there is minimal disruption to the function of the adjacent road by providing turning lanes where required;
 - iv) where practical, adjoining land uses on arterial, major collector, and collector roads will share access points in order to minimize traffic hazards;
 - v) where practical, the Township will require internal links between adjacent parking lots.
 - b. where possible, parking facilities will be sited on a property such that large expanses fronting on public streets are avoided;
 - c. parking for persons with disabilities is provided within oversized parking stalls with ramped sidewalks nearby, is well located in respect to convenience for the user, in proximity to the building access points or public sidewalks, and is protected, where possible, from adverse climatic elements;
 - d. illumination of all areas to increase the safe, secure use of parking facilities;
 - e. light spill-over or glare from any lighting source onto residential uses and public streets will be minimized, but not to the detriment of safety concerns;

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- f. for mixed use development containing residential units, parking areas will be dedicated for the exclusive use of residents and separated by design or distance from parking areas for other uses except where parking facilities can be shared with these other uses so as to provide adequate, safe, secure, and convenient parking for residential use;
 - g. parking areas will be designed to incorporate proper stormwater management, and use permeable surfaces, where feasible;
 - h. pedestrian circulation routes through parking areas will respect natural pedestrian travel routes, minimize hazards and inconvenience, and maximize pedestrian security;
 - i. the design and layout of parking areas will ensure the safe and efficient operation of the facility; and
 - j. parking facilities will be designed, located, and operated in such a manner as to maximize the security of motor vehicles and cycles from theft and vandalism and their users from assault or personal injury. In the case of cycle parking, the design and operation will minimize the risk of physical damage to the cycle from the parking facilities or from other cycles sharing the facility.
2. The Township will require the provision of on-site loading facilities for development that may regularly receive or dispatch goods. The loading spaces will be located to minimize the effects of noise and fumes on adjacent uses and will not interfere with customer/employee parking or pedestrian movement.

10.5 Active Transportation – Pedestrianism

Within Earlton, one of the objectives of this Plan is to establish a pedestrian-friendly environment. Overall, this Plan encourages people to walk for health reasons and to reduce their dependence on the automobile. This Plan stresses the need for a clearly defined network of sidewalks, pathways, and cycle routes that are linked to established public areas.

1. Where Council considers it appropriate, new development or redevelopment will be expected to provide pedestrian walkways and sidewalks constructed to an appropriate standard. The location, size, and nature of the development will determine whether sidewalks are needed on both sides or one side of the street. In some cases, sidewalks may not be required.
2. When undertaking public works, and where appropriate, the Township will include the provision of facilities that address the needs of pedestrians.
3. To encourage pedestrian travel, streetscapes should be safe, convenient, and attractive for pedestrians. This may include providing sidewalks, locating commercial uses at street level, encouraging building design that provides shelter, and providing appropriate lighting, street furniture, and landscaping.
4. The Council may establish a pedestrian walkway plan for urban and rural areas that outlines areas where walkways exist and where they should be created within an overall

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network. Such a plan will encourage pedestrian interconnections between home, schools, recreational areas, and shopping areas. The Township will maintain and enhance the existing sidewalk network in order to achieve this policy.

10.6 Active Transportation – Cycling

Cycling also reduces the dependence on the automobile. This Plan will encourage people to ride bicycles.

1. Where Council considers it appropriate, new development or redevelopment will be expected to provide bike racks.
2. When undertaking public works, and where appropriate, the Township will include the provision of bike lanes and bike racks to address the needs of cyclists.
3. The Council may establish a cycling plan for urban and rural areas that identifies cycling routes. Such a plan will encourage the interconnections between bike routes and open space areas. Such a plan will be designed to improve the viability of cycling as an alternative to car use.
4. Council will work with abutting municipalities to provide cross-jurisdictional linkages.
5. Cycle routes will only be permitted on Provincial highways after an analysis of the impact on safety and traffic operations has been reviewed and approved by the MTO.

10.7 Recreational Trails and Bicycle Pathways

The Township will maintain and may expand its recreational trails and bicycle route identified on Schedules “A” and “B”.

All development applications, including, but not limited to, plans of subdivision, severances, plans of condominium, Official Plan Amendments, Zoning By-law Amendments, and site plans will be reviewed to ensure that they include consideration for recreational and bicycle pathway facilities.

A recreational trail and bicycle route signage program for existing roadways will be developed in accordance with recognized standards and best practices. Ongoing road maintenance and new road construction and associated infrastructure will have consideration for the recreational vehicle and bicycle in the design and placement of intersection treatments, sewer grates, manhole covers, and signage. All facilities operated by the Township will incorporate appropriate bicycle facilities consistent with their location in order to lead by example in promoting the usage of cycling in Armstrong.

Any proposals for trail crossings of a Provincial highway will require the prior approval of the MTO. Crossings may be permitted subject to restrictions. Trails running along the MTO right-of-way will not be permitted.

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10.7.1 Policies

- a. The existing pedestrian, recreational, and bicycle network will be maintained and expanded through the creation of additional pedestrian walkways, trails, and bikeways with adequate signage throughout the Township.
 - b. Development proposals will be reviewed to ensure that there is adequate pedestrian access in new developments. The Township may acquire lands to provide pedestrian facilities as a condition of approval. Wherever possible, the provision of adequate bicycle facilities will be encouraged.
 - c. Bicycle facilities for all new road links and road widening projects will be considered based on an assessment of safety, potential usage, cost, and linkages to major employment, educational, or recreational centres.
 - d. The maximum level of separation of pedestrians and bicyclists from motor vehicle traffic will be achieved through good road design practices.
 - e. Sidewalks facilitate active living and are an essential component of good neighbourhood design, providing a safe pedestrian environment and access to other transportation linkages such as trails. Curbs and sidewalks in neighbourhoods also encourage walking and provide safety for children. It is policy of this Plan to provide the following on new and reconstructed roads, when feasible:
 - a. sidewalks on at least one side of Collector Roads;
 - b. pedestrian connections between neighbourhoods; and
 - c. pedestrian linkages to major attractions/generators.
6. Sidewalks are to be built and maintained to a standard that facilitates the mobility of persons with disabilities.
 7. Barrier-free design of pedestrian facilities will be required through site plans.

10.8 Accessibility

Accessibility is a key consideration in the planning and development of our Communities, encompassing our streets, parks, libraries, social housing, and other functions of daily living. It is policy of this Plan to support the continued development of integrated, accessible services, programs, and facilities that fully respect the dignity and rights of persons with disabilities.

10.9 Earlton-Temiskaming Regional Airport

The Township owns and operates the Earlton-Temiskaming Regional Airport (ETRA), located just southwest of Earlton. ETRA began in 1937 as an emergency field along the Trans-Canada airway and was lengthened in 1952 to accommodate Air Defense Command fighter aircraft. The airport also accommodated airlines making scheduled stops on Canadian Pacific or Trans Canada flights. NorOntair, a provincially operated airline, and several other operators provided scheduled passenger service from 1973 to 2003. Currently, there are no scheduled

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passenger flights, and instead the airport serves a strong market for on-call private chartered flights only.

10.9.1 Policies

- I. In order to take advantage of the Earlton-Temiskaming Regional Airport's strategic location and function, a wide variety of commercial, institutional, and industrial uses may be permitted on airport land. The airport is located in Parts of Lots 7, 8, 9 and 10, Concessions II and III. Furthermore, uses that supply airport-serving goods and services will be encouraged. All proposed uses must comply with the Earlton Airport Zoning Regulations established by Transport Canada under the *Aeronautics Act*.
- II. Development and land uses that may interfere with the function and safe operation of the Earlton-Temiskaming Regional Airport are not permitted. Transport Canada zoning regulations also apply to lands beyond the airport.
- III. Earlton-Temiskaming Regional Airport facilities will continue to be improved in order to meet increasing volumes of air traffic and accommodate additional types of aircraft.
- IV. Areas affected by airport noise are shown as Noise Exposure Forecast (NEP/NEF) Contours on Schedule "B" and are subject to the airport noise policies of this Plan.

10.10 Rail

Armstrong's rail infrastructure plays an important role related to our long-term economic growth and serves as an effective and efficient means of moving goods and people.

10.10.1 Policies

1. Conflicts between rail facilities and adjacent land uses will be minimized, wherever possible. Where conflicts arise, noise, vibration, and safety impact mitigation measures implemented by the adjacent land use will be in accordance with MOECC standards and the appropriate rail company requirements.
2. Any development will have regard to the Noise, Vibration, and Odour policies of this Plan.

11.0 UTILITIES

The Township is responsible for providing residents with three basic utilities and services:

1. the supply and distribution of drinking water;
2. the treatment of wastewater; and
3. the collection and disposal of solid waste and the management of waste reduction programs.

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Energy and communication services are provided by a number of public and private sector organizations. All are subject to regulatory regimes established by government.

11.1 Objectives

It is the objective of the utility policies to:

1. provide residents with a reliable supply of high quality water and the safe disposal of wastewater;
2. ensure that the Township's water and sewer capacities are adequate to service existing and proposed developments;
3. ensure the long-term disposal of solid wastes occurs in an orderly, environmentally sound and economically efficient manner;
4. reduce the quantity of solid waste produced by the community;
5. promote water and energy conservation and water and energy use efficiency across all sectors;
6. implement innovative concepts relating to energy use conservation through site planning, building design, renewable energy sources, and efficient equipment and operations; and
7. reduce and offset community greenhouse gas emissions through the promotion of new energy efficiency programs.

11.2 Sewer and Water

Growth within the Township is also dependant on the Township's ability to provide sewer and water services.

11.2.1 Water System

The Village of Earlton water system generally consists of three groundwater wells; a Water Treatment Plant (WTP), and over 10 km of watermain ranging in size from 100 mm to 150 mm diameter. The WTP was originally constructed in 1994 and currently operates under MOECC Environmental Compliance Certificate No. 4161-9QDM43.

The water supply system was originally designed to service an ultimate population of 1,400 persons based on an average day consumption of 309 L/c/d. According to the C of A, the system is rated for an average day demand of 432.6 m³/day; a maximum day demand of 1,080 m³/day; and a peak hour demand of 1,633 m³/day.

Based on water usage records from 2009 and 2010, it is estimated that the average daily demand has been approximately 320 m³/day and the maximum daily demand has been approximately 500 m³/day. Based on a comprehensive Engineer's Report prepared in 2000, the

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estimated average day water demand at that time was 340 m³/day and, therefore, it appears that there has been little change in water demand over the past 10 years within the Urban area.

Water plant capacities are typically rated based on their maximum day demands. In this case, the Earlton system is rated to deliver a maximum day flow of 1,080 m³/day and is, therefore, operating at about 50% of its maximum rated capacity on this basis.

11.2.2 Sewage System

The Village of Earlton sewage system generally consists of several kilometres of gravity sewer collection piping; a single pump station/forcemain; and a treatment lagoon system. The pump station and treatment system were commissioned relatively recently in 2006/2007, however, much of the collection system was constructed in the late 1960s/early 1970s. A Class EA for the entire collection, pumping, and treatment system was completed in 2000, resulting in the recently constructed upgrades.

The sewage system is currently operated under MOECC Certificate of Approval No. 2011-5NKKPF. The upgraded system was designed to accommodate a population equivalent of 1400 persons (similar to the water system) and the C of A indicates an average daily raw sewage flow of 743 m³/day based on an average of all of the daily measured flows throughout the year. The connected population is currently estimated at 950 persons.

Based on sewage flow records for the past few years, the average daily flow has been reported to be approximately 650 m³/day. By comparison, the average day flow in 1999/2000 (i.e., when the Class EA was being undertaken) was estimated to be in the order of 500 m³/day, suggesting a significant increase in generated flow since that time. Possible causes for the reported increase in sewage flows could include inflow/infiltration caused by a deteriorating sewer collection system; heavier precipitation amounts; better flow metering technology as compared to 1999/2000; and higher water usage. Water usage appears to be similar to what it was approximately 10 years ago and, therefore, is not suspected as a cause for higher sewage flows.

Based on the records of the Ministry of Environment and Climate Change (MOECC), the rated capacity is at 90% (averaged 2011-2015). As the estimated capacity is above 80%, the municipality will undertake a hydraulic reserve capacity calculation to evaluate the system's capacity. If this calculation/evaluation confirms that the sewage treatment system is at or above 80% of its rated capacity, the municipality will begin planning and assessing options for plant expansion to increase the sewage treatment capacity.

11.2.3 Policies

1. The Township will continue to provide for the operation and maintenance of all existing water distribution systems, sanitary sewers, and treatment facilities under municipal jurisdiction.
2. The upgrading or replacement of water infrastructure in need of improvement will be conducted as required.

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3. The upgrading or replacement of sewer collecting piping in need of improvement will be a priority of Council in order to reduce the amount of inflow/infiltration into the system.
4. Sewage disposal systems and water supply services will be extended to other areas of the Township only if:
 - a. alternative sources of water supply are not available or inadequate;
 - b. a health hazard exists;
 - c. environmental degradation is occurring; and/or,
 - d. the area in question is within a settlement area.

11.2.4 New Development

Municipal sewer and water services are the preferred form of servicing for all new developments. Municipal sewer and water systems will accommodate all new development in the Village of Earlton, except in unserviced areas, where different land use and servicing policies apply.

11.2.4.1 Policies

1. Development in the urban area is permitted provided that existing and planned public sewage and water services have confirmed capacity to accommodate the demands of the proposed development. Alternatively, the proponent of the development will upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with Township standards, including the adequacy of fire flows.
2. It is policy of this Plan to ensure that water supply and sewer capacity are adequate to service development without major line or plant expansion. Official Plan amendments, rezonings, severance and subdivision approvals, minor variances, and building permits may be denied if a water or sewage facility problem exists. The municipality will undertake a hydraulic reserve capacity evaluation to evaluate the system's capacity. If this calculation/evaluation confirms that the-sewage treatment system is at or above 80% of its rated capacity, the municipality will begin planning and assessing options for plant expansion to increase the sewage treatment capacity.

11.2.5 Individual Systems

Individual systems are privately owned water and wastewater systems, usually taking the form of a well and septic system. While new development is primarily directed by this Plan to fully serviced areas of the Township, developments in the *Agricultural* and *Rural Areas* are permitted to use individual systems subject to the policies of this Plan.

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11.2.5.1 Policies

1. Where development is proposed outside fully serviced areas, the proponent must prove that the soil conditions of the proposed site are suitable for a waste sewage disposal system and that there is a proven source of potable water available. A hydrogeological assessment is required where the minimum lot size is less than 0.8 hectare (2 acres).
2. The Township will ensure that a regular system of inspection of individually-operated water and wastewater systems is carried out throughout the Township and that faulty systems are repaired, maintained, and upgraded to meet health and environmental standards.
3. Connection to communal water and wastewater systems is prohibited without permission of the Township.
4. Where development is proposed in an area of known or suspected karst formation, the proposal must be consistent with Section 9.5 of this Plan. Proponents are required to prove through a hydrological assessment that soil conditions are suitable for sewage waste disposal and that potable water is available.

11.2.6 Communal Systems

Communal systems are another form of wastewater management. Communal systems are “shared” septic systems where water from each house is piped to a larger central unit. Due to environmental and financial concerns, communal systems are discouraged by this Plan, as the availability of land or capable of being connected on full services is quite extensive in the Village of Earlton.

11.2.6.1 Policies

1. No residential development shall be permitted on a communal system.
2. Any new non-residential development on communal systems will require an Official Plan amendment and responsibility agreement.
3. The creation or expansion of communal systems may be permitted only where financial tools are in place to ensure any possible future problems with the system would be addressed to the satisfaction of the Township.

11.2.7 Large Developments

Where development is proposed for more than five lots, a Servicing Options Study will be prepared by, and at the expense of, the Applicant, in accordance with MOECC Guidelines, to look at the various methods of servicing and make a recommendation as to the type of servicing to be used, for approval by the Township.

Where the development is approved and proceeds on individual private services, a Water Supply Assessment Report will be required to be prepared by, and at the expense of, the Applicant, for approval by the Township. The Report should demonstrate potable groundwater

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quality, adequate groundwater yield, and negligible groundwater quality interference in accordance with the MOECC Guidelines.

For developments of greater than five lots/units, a Groundwater Impact Assessment will be required to determine, among other things, the minimum lot size necessary to support a septic system in accordance with the MOECC Guidelines.

Where a private sewage system, which handles more than 10,000 litres per day is proposed, a Hydrogeological Impact Report shall be required in accordance with the MOECC Guidelines, which demonstrates soil suitability, including sufficient available area for the effluent treatment and site suitability. The Report shall be prepared by, and at the expense of, the Applicant, and submitted for review and approval by the MOECC, by way of a Certificate of Approval, prior to construction.

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

11.2.8 Substandard System Improvements

The Council will actively encourage the participation of residents in any programs designed to upgrade or replace existing substandard, individual water supply and/or sewage disposal systems. The Council will promote a proactive review of all private systems through the local Health Unit.

11.2.9 Septage Treatment Capacity

The PPS states that planning for sewage services must protect human health and the environment while integrating servicing and land use considerations in a coordinated, efficient, and cost-effective manner.

Section 1.6.4.1 (e) of the PPS directs that a new lot can be created *only if there is confirmation of sufficient reserve sewage system capacity* to treat septage, regardless of whether the lot is created by a Plan of Subdivision or an Application for Consent.

Reserve sewage system capacity is defined in the PPS as the capacity to dispose or treat hauled sewage. The PPS considers the capacity sufficient if the hauled sewage from the development can be treated or disposed at sites approved under the EPA or the *Ontario Water Resources Act* (OWRA), but not by land-applying untreated, hauled sewage.

11.2.9.1 Policies

- I. Prior to approving a lot by plan of subdivision or consent on the basis of private sewage systems, the Township will request a letter from the sewage hauling company stating that there is sufficient reserve sewage system capacity at a site approved under the EPA or the OWRA.

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

11.3 Solid Waste Management

The Township will continue to use the existing, active, municipal waste disposal site located in the southern part of Lot 8, Concession VI, in the Township of Beauchamp. The site is approved for the Township's use for domestic and commercial waste disposal purposes, in accordance with the EPA. Solid waste shall not be disposed of by the Township in any other location, unless the site has first been approved by the MOECC.

The Township will, as a means of extending the life-expectancy of the existing site, review on a regular basis its Operations Plan. This review will monitor the cost structure and life expectancy of the site, together with the potential for commencing a recycling program. The results of such a Recycling Plan may be implemented in conjunction with the disposal site's Operations Plan.

11.3.1 Policies

- a. Existing landfill sites will be utilized for as long as it is economically, environmentally, and technically feasible.
- b. Landfill sites will be established to meet projected needs, including disposal sites for special types of solid waste such as hauled sewage, as regulated under the *Environmental Assessment Act (EAA)*.
- c. Landfill sites will be closed and monitored in accordance with the requirements of the Provisional Certificate of Approval and applicable Provincial standards and requirements.
- d. The expansion of or the establishment of a new solid waste management site onto land not currently designated for waste management use will require an amendment to this Plan. Such an expansion will require an EIS, and be subject to appropriate Provincial standards and requirements, including the *EPA* and the *EAA*.

11.3.2 Programs

1. The Township will investigate methods to increase waste reduction and waste diversion efforts, and will promote and participate in programs aimed at achieving such objectives.

11.3.3 Closed Waste Disposal Sites

Human health and safety may be affected within the area of influence of a former landfill site. The most significant contaminant discharges and visual problems occur normally within 500 metres of the perimeter of the fill area. The actual area of influence will vary for every former site.

There are two inactive sites within the Township; one private and one municipal. These sites have been recorded and approved by the MOECC and are located in the northeast quarter of

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the north half of Lot 11, Concession V (municipal) and in the north half of Lot 2, Concession III (private).

11.3.3.1 Policies

- a. No land use may take place within 30 metres of the perimeter of a fill area of a former landfill site where technical controls for leachate, or leachate and gas are required.
- b. The two closed waste disposal sites are shown on Schedule 'B'. No uses are permitted on closed waste disposal sites within 25 years of their closure without the required approval under s.46 of the *EPA*.

11.4 Energy and Communication

There are a number of public and private sector entities that are responsible for the delivery, regulation, and maintenance of energy and communication services, including hydroelectric power supply, oil and gas lines, and communications systems. All organizations comply with a regulatory framework established by government.

11.4.1 Policies

- I. Utility lines and plants will be installed in an efficient and economical manner with minimal disruption to existing development and the natural environment.
- II. Where economically feasible, utility and transmission lines are to be installed underground in the townsite so as to minimize their adverse visual impact on the environment.
- III. The Township will actively participate with the responsible authorities in planning for the future expansion and location of power supply services and communication systems servicing the Township. The proponents of such expansions will satisfy the Township that there will be no major impacts from the development as related to environmental, economic, social, transportation, and other concerns as determined by the Township.

11.5 Energy Efficiency Programs

Reducing energy use, providing consumers with access to green energy sources and transportation, and developing energy efficient subdivision, street, and building designs are encouraged by this Plan. Attracting new businesses in the energy and environmental services sector to locate in Armstrong is another strategy towards promoting energy efficiency.

The Township will explore opportunities for energy retrofits utilizing solar wall construction and geothermal heat pumps in municipally-owned facilities, as well as additional improvements in energy conserving design. Alternative methods of heating, cooling, and constructing buildings need to be promoted as the Township works towards reducing greenhouse gas emissions and meeting Kyoto targets in an effort to reduce the impact of climate change.

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11.5.1 Programs

- a. This Plan supports the continued development of programs to conserve energy and improve energy efficiency across all sectors.
- b. Armstrong will encourage the development of alternative energy systems in order to produce clean energy for the Township.
- c. The Township will explore replacing its motor vehicle fleet with hybrid or alternative fuel vehicles to encourage energy efficiency.
- d. This Plan encourages building and landscape design practices that conserve energy and reduce waste, including:
 - a. utilizing techniques and materials that increase energy efficiency;
 - b. siting buildings so as to best exploit the area's passive solar energy potential, and utilizing existing natural shade canopies to reduce summer energy use;
 - c. encouraging compact, mixed use, and infill developments that concentrate complementary land uses as a means of conserving energy; and
 - d. designing buildings that meet LEED (Leadership in Energy and Environmental Design) or equivalent standards.

PART V: DEVELOPMENT REVIEW AND IMPLEMENTATION

There are many different ways of defining 'Quality of Place'. This Plan defines 'Quality of Place' as the physical characteristics of a community – the way it is planned, designed, developed, and maintained – that affect the quality of life of people living and working in it, and those visiting it, both now and into the future.

Quality of place and quality of life

The places where people live have a profound effect on their quality of life and life chances. Places can play a key role in a range of ways – through, for instance, crime levels, pollution levels, employment opportunities, social ties and opportunities for community engagement, and the range and quality of local services, transport links, and green space. Quality of place with a focus on urban design and heritage preservation can affect people's quality of life and life chances through the way the environment is planned, designed, developed, and maintained.

Council will ensure the conservation, preservation and enhancement of the rural character of the municipality as a cultural resource and ensure viability of the agricultural industry.

12.0 CULTURAL HERITAGE AND ARCHAEOLOGICAL RESOURCES

The Township recognizes the importance of cultural heritage resources within the Township. Therefore, the Township will encourage the identification, conservation, protection, restoration, maintenance, and enhancement of cultural heritage resources. All new development permitted by the policies of this Plan shall have regard for cultural heritage resources and will make every attempt to incorporate these resources into any development plans. In addition, all development will be planned in a manner that preserves and enhances the context in which cultural heritage resources are situated.

Cultural heritage values or interests include, but are not restricted to, built heritage, cultural heritage landscapes, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, and human-made rural and urban areas or landscapes of historic and scenic interest.

Council may protect and enhance distinguishing qualities and character of cultural heritage landscapes either individually or as part of a complex of properties.

In accordance with Section 27 of the *Ontario Heritage Act*, the municipal clerk shall maintain a register of all property designated under Parts IV and Part V of the *Ontario Heritage Act*. This register may also contain properties that have heritage conservation easements placed upon them and properties that are not designated, but which are considered by Council to be of cultural heritage value or interest.

The retention, renewal, and conservation of commercial built resources of historic and cultural heritage value or interest will be encouraged if they are affected by an application for development or redevelopment. The effects of such development plans on the character of the surrounding area will also be considered and a heritage impact statement to significant built and cultural heritage landscapes may be required. The impact of such development plans on the character of the surrounding area will also be considered.

PART V: DEVELOPMENT REVIEW AND IMPLEMENTATION

Council will explore the creation of a Municipal Heritage Committee (MHC) pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist the Township on matters related to Parts IV and V of the Act. In addition, the Township may wish to expand the role of the heritage advisory committee to advise and assist the Township on other matters of cultural heritage conservation.

Pursuant to the *Ontario Heritage Act*, and in consultation with the MHC, the Township may, by by-law:

- a. designate properties to be of cultural heritage value or interest;
- b. define the Township, or any area or areas within the Township as an area to be examined for designation as a heritage conservation district; and
- c. designate the Township, or any area or areas within the Township, as a heritage conservation district.

The Township will lead the community in restoring, rehabilitating, enhancing, and maintaining cultural heritage resources owned by the Township as examples of the proper stewardship of such resources.

The Township may participate in the development of significant cultural heritage resources through acquisition, assembly, resale, joint ventures, or other forms of involvement that may result in the sensitive conservation, restoration, and/or rehabilitation of those resources.

In all designations, the Township will ensure that appropriate care is taken to preserve mature trees and other vegetation of cultural heritage value or interest and/or scenic value. Existing landmark trees and tree and hedge lines should be an essential consideration in the design of any development. The preservation of heritage trees along streets and roads will be encouraged by the Township, except where removal is necessary because of disease damage, or to ensure public health and safety.

The Township recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the boundaries of the Township. The Township may require archaeological assessments conducted by archaeologists licensed under the *Ontario Heritage Act*, as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture, and Sport (MTCS), as well as licensing requirements developed under the *Ontario Heritage Act*.

Areas of archaeological potential include when the lands in question contain or are located within at least one of the following:

- 300 metres of a known archaeological site;
- 300 metres of a primary water source, such as a lakeshore, river or large creek;
- 300 metres of an ancient water source identified by a beach ridge, riverbed;
- 300 metres of a secondary water source, such as a wetland, marsh, small creek, spring;
- 10 metres of a cemetery dating prior to 1945 (WWII);

PART V: DEVELOPMENT REVIEW AND IMPLEMENTATION

- elevated topography (knolls, drumlins, eskers, plateaus, etc.);
- pockets of sandy soil in a clay or rocky area;
- unusual land formations (mounds, caverns, waterfalls etc.);
- an extractive area (for food or scarce resources);
- non-aboriginal settlement features (monuments, cemeteries);
- historic transportation features (road, rail, portage);
- designated property (refer to Municipal Heritage Committee);
- local knowledge associated to property with historic events, activities or occupations.

The Township shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources. Aboriginal consultation shall be undertaken for all development proposals where an Archaeological Assessment has shown the potential for aboriginal artefacts to be encountered.

Council shall ensure adequate archaeological assessment by a licensed consultant archaeologist and consult with appropriate government agencies, including the MTCS and the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services, when an identified and marked or unmarked cemetery or burial site is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply.

The Township may utilize available government or non-government funding assistance programs to assist in the implementation of cultural heritage conservation policies. The Township, where appropriate, will co-operate with other levels of government, as well as private agencies and individuals, in the conservation of cultural heritage resources in the Township. The Township will co-ordinate its heritage plans and programs with heritage plans and programs of senior levels of government.

12.1 Alteration, Removal or Demolition

Where heritage resource buildings are designated under the *Ontario Heritage Act*, no alteration, removal or demolition shall be undertaken that would adversely affect the reason(s) for designation except in accordance with the *Ontario Heritage Act*.

1. To ensure a greater degree of protection to designated heritage resources properties, Council may enter into agreements with property owners, or may attempt to secure conservation easements, in order to protect those features of a building or structure deemed to have particular heritage value.
2. The cultural heritage value or interest of a building will be considered at the time of application for demolition.
3. Council will participate in the conservation of cultural heritage resources by conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works.
4. Council will require a heritage impact assessment conducted by a qualified professional whenever a development has the potential to affect a protected heritage property or cultural heritage resource.

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5. Council views archaeological preservation in situ as the preferred method of ensuring that the integrity of the resource is maintained. However, Council also recognizes there may be a need for rescue excavation of significant archaeological resources as a result of development proposals and will consider this only when it is demonstrated that in situ preservation is not possible.

12.2 Alteration or Demolition on Adjacent Lands

Where a real property is protected under Parts IV and V of the *Ontario Heritage Act*, development, site alteration, or demolition of structures may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement done by a qualified professional, and demonstrated to the satisfaction of Council that the heritage values, attributes, and integrity of the protected heritage property are retained. For the purposes of this Section, adjacent lands shall include lands that are contiguous, and lands that are directly opposite a protected heritage property, separated only by a laneway or municipal road. A holding provision may be applied on the zoning of lands adjacent to protected heritage properties to ensure that, prior to development or site alteration, a Heritage Impact Statement done by a qualified professional is required to demonstrate how the heritage values, attributes, and integrity of the protected heritage property are to be conserved and how any impacts may be mitigated.

13.0 URBAN DESIGN

Promoting quality design in private and public development is essential to improve the quality of place – quality of life. In order to attract economic development opportunities and skilled labour, the Township must foster environments that emphasize human scale, accessibility, safety, attractiveness, innovation, and integration with both existing built form and the natural environment.

Good design principles are encouraged in order to improve the aesthetic quality of our urban spaces. Community Improvement Plans may also assist in improving the quality of place – quality of life.

13.1 Objectives

The objectives of the urban design guidelines are to:

- I. encourage a high level of design quality for all types of development and redevelopment;
- II. promote a built environment that is safe, energy efficient, aesthetically pleasing and productive;
- III. encourage a sustainable mix of uses; and
- IV. promote attractive corridors that provide access to the townsite.

13.2 Policies

1. Buildings, structures, and other design elements that complement existing built form and character are encouraged.

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2. Area streetscapes are to be improved over time through appropriate upgrades, such as landscaping, lighting, sidewalks, paving, and public art.
3. Landscaping will be required in:
 - i. the design of all new developments; and
 - ii. existing underdeveloped locations as an effective environmental upgrading technique.
4. Landscaping shall be encouraged to be incorporated into existing development where feasible and appropriate
5. The Township shall encourage landscape options that also serve to meet other objectives and policies of this Plan such as passive cooling and stormwater cleaning or mitigation.

14.0 COMMUNITY IMPROVEMENT

The Community Improvement provisions of the *Planning Act* provide the opportunity to plan for, and co-ordinate, comprehensive physical improvements to older areas of the Township. "Community Improvement Policies" are intended to give municipalities a planning mechanism and access to a variety of provincial cost-sharing programs, to address deficiencies within designated areas in a co-ordinated and comprehensive fashion, and to encourage private investment activity in these areas.

Under the *Planning Act*, municipalities may designate "Community Improvement Project Areas" within which the Township may acquire lands, prepare improvement plans, and undertake various community improvement projects and works to implement these plans. The policies of this Section of the Plan provide a framework for the selection and designation of "Community Improvement Project Areas" and for the preparation and implementation of community improvement plans.

It is the Township's intention to encourage improvements to the quality of existing development, community facilities, and public services, particularly within the urban area to provide those additional community facilities as circumstances and finances permit.

14.1 Community Improvement Objectives

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

- a. Provide for the designation of "Community Improvement Project Areas" in areas of the Township that exhibit problems of instability, building deterioration, inadequate municipal services and facilities, or inappropriate arrangement of land uses.
- b. Promote the long term stability and viability of designated "Community Improvement Project Areas."

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- c. Encourage the co-ordination of municipal expenditures and planning and development activity within designated "Community Improvement Project Areas."
- d. Encourage residential intensification opportunities, such as mixed use and infill developments, accessory apartments, and residential conversion of upper floors of commercial buildings.
- e. Stimulate private property maintenance and reinvestment activity.
- f. Facilitate the cleanup and redevelopment of brownfield properties.
- g. Enhance the visual quality of designated "Community Improvement Project Areas" through the recognition and protection of heritage buildings.
- h. Reduce the detrimental effects of incompatible land uses in designated "Community Improvement Project Areas."
- i. Upgrade physical services and social and recreational facilities in designated "Community Improvement Project Areas."
- j. Promote the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses within the designated "Community Improvement Project Areas."
- k. Support the creation of Affordable Housing by considering any municipally-owned, undeclared surplus land for Affordable Housing before any other use is considered.
- l. Support the implementation of measures that will assist in achieving sustainable development and sustainable living.
- m. Support the retention of heritage properties or areas.
- n. Foster the improvement of businesses and public spaces to remove barriers that may restrict their accessibility.

14.2 Policies

- i. The Township will maintain a municipal-wide "Community Improvement Project Area" designation of all lands within the corporate limits. The Township will identify and establish by by-law criteria for delineating community improvement plans, including a schedule of works for the maintenance, rehabilitation, repair, and development of public and privately-owned facilities and lands.

15.0 IMPLEMENTATION

In Ontario, the administrative framework for planning decisions is largely prescribed by the *Planning Act*. Consideration of other federal and provincial statutes may also be required depending on the nature of the application. Various planning tools for implementing the policies and programs of this Plan are set out in the following chapter on Implementation.

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The goals, objectives, and policies of this Plan provide guidance in making decisions affecting land use, and economic and social development, and are consistent with directives established under the *Provincial Policy Statement*. The following section contains policies pertaining to the administration and implementation of the Plan using the appropriate legal and financial tools.

The policies of this Plan are consistent with the *Provincial Policy Statement* in every respect.

In addition to the policies of this Plan, there are other plans, policies, programs, regulations, and guidelines established by various Provincial Ministries that must be considered when applications for new development are proposed. All applications will be reviewed against the policies of this Plan.

15.1 Objectives

It is the objective of Council to:

1. develop an administrative framework which coordinates the various components of the Official Plan and facilitate the implementation of its objectives, policies, and programs; and
2. co-ordinate the activities of all public and private agencies, including private developers, and federal and provincial ministries in order to ensure the implementation of this Plan.

15.2 Policies

- I. Council will implement the objectives, policies, and programs contained in this Plan by using:
 - a. public means of implementation such as land acquisition, public works, finance, and other government programs;
 - b. regulation of private development, such as subdivision control, zoning, building regulations, and other by-laws;
 - c. incentives encouraging proper development, such as Tax Increment Financing, Community Improvement Plans, and
 - d. the preparation of more detailed plans.
- II. Council will use all legislative powers vested in the Township through provincial statutes having effect in the Township in implementing the Plan.

15.3 Subdivision of Land

The subdivision of land is achieved either by Plan of Subdivision, application for a consent to convey land for the purpose of development, or through approval for a Condominium Development proposal pursuant to the *Condominium Act*. Policies pertaining to a Plan of Subdivision will also be considered in the review of a Plan of Condominium.

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15.3.1 Policies

- a. Require that all proposals that have the effect of creating four or more new lots to be processed as applications for a Plan of Subdivision unless, in Council's opinion, a Plan of Subdivision is not necessary for the proper development of the area; and
- b. Require that proposals that would create less than four new lots to be considered as Applications for Consent to be dealt with by the Township.

15.3.1.1 Draft Plan Approval

All conditions of draft plan approval must be met within three years after which the draft approval lapses.

Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the subdivision has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of extension, Council will review draft plan conditions and may make appropriate modifications.

15.3.1.2 Consideration for Subdivision Approval

When approving Plans of Subdivision, or in recommending approval of a Plan of Subdivision, Council will have regard, among other matters, to the following:

1. The conformity of the proposed Plan of Subdivision with this Plan; and
2. Matters listed under the *Planning Act*.

Final approval or recommendation of final approval to all or part of a draft Plan of Subdivision will occur only if the applicant has entered into a subdivision agreement with the Township to the effect that all requirements of the subdivision agreement, including installation of required services, be completed within three years of registration.

The subdivision agreement will specify that, after the three year period has lapsed, the applicant will not be permitted to install the required services, unless reasonable cause has been shown for not proceeding with development within the prescribed time.

15.3.1.3 Deeming Subdivisions Not To Be Registered

Council may deem registered Plans of Subdivision or significant portions thereof not to be registered in situations where the conditions of the subdivision agreement have not been met within eight years of registration.

15.3.1.4 Subdivision Standards and Design

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

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Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision should be designed such that the lots back onto the provincial highway and front onto a local internal street.

15.4 Zoning

Zoning is the regulation of land use and structures intended to promote the public health, safety, comfort, convenience, and general welfare of the residents.

In order to implement this Plan, a new Comprehensive Zoning By-law for the Township will be prepared. During the preparation of a new Comprehensive Zoning By-law, existing uses in compliance with the existing Zoning By-law will be permitted in the new Zoning By-law. Lands that are not pre-zoned in the existing Zoning By-law and that are not intended for immediate development pursuant to the policies of this Plan, will be placed in a zone permitting only those uses that will not hinder the future sound development of the lands in question.

15.4.1 Rezoning Applications

It will be the policy of Council to ensure that the Zoning By-law and amendments thereto conform to this Plan. To this end, it is the intent of Council to evaluate each rezoning application according to all applicable policies – simple conformity with land use designation does not automatically guarantee a rezoning to the proposed use.

Council may pass the amending Zoning By-law with an advisement to the owner that, if no development has been initiated within three (3) years of the By-law coming into effect, Council may initiate a process to restore the original zoning on the lands. This process will be halted if a Site Plan Agreement is entered into establishing firm deadlines for completion. If the conditions of the Site Plan Agreement are not met by the deadline, Council may again initiate the process to restore the original zoning on the lands.

15.4.2 Temporary Use By-laws

Notwithstanding any other policy of the Plan, Council may pass by-laws under the *Planning Act* to permit temporary use of land, buildings, or structures, in defined areas and for prescribed periods of time, for any purpose set out therein that is otherwise prohibited by the Zoning By-law.

15.4.3 Holding Zones

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

- I. the holding symbol (H) is used only in the following instances:
 - I. when certain details of development have not yet been determined, or where certain conditions of development have not yet been met, such as, but not limited to, development or servicing agreements with the Township;

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- II. when the level of community services and/or infrastructure is not yet adequate to support the proposed use;
 - III. where environmental conditions or constraints temporarily preclude development or redevelopment; and
 - IV. where required studies have not yet been approved by the Township.
- II. the zoning by-law containing the holding provisions specifies the interim land uses to be permitted, the conditions for removal of the holding provision, and any regulations or restrictions applying to the lands during the time the holding provision is in place; and,
 - III. a by-law to remove the holding symbol may be adopted when all the conditions set out in the holding provision have been satisfied.

15.4.4 Non-Conformity

1. Any existing use that does not comply with the relevant policies contained in this Official Plan will be deemed non-conforming in terms of this Plan. Such uses may be zoned in any implementing Zoning By-law in accordance with their present use provided that:
 - a. the zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
 - b. they do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic flow they generate;
 - c. they do not pollute the air, water or soil to the detriment of health, comfort, and property; and
 - d. they do not interfere with the development or enjoyment of adjacent areas in accordance with this Plan.
2. Where an existing use does not meet with the criteria set out above, it may not be zoned in accordance with its present use. Furthermore, the Township may seek means to eliminate the use and may acquire it when sufficient funds are available or assist in whatever way possible in the relocation of the use.
3. Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Official Plan.
4. Where an existing use has been zoned as a non-conforming use, but there is merit in granting permission to extend or enlarge the use, either within the lands held in ownership or on adjacent properties, the Township may amend the Zoning By-law to permit such extension or enlargement without the necessity of amending the Official Plan if it complies with the general intent and purpose of this Plan. The Township may also, based on merit, permit the extension or enlargement of a non-conforming use on lands owned at the time of passing of the By-law, provided that the intent and purpose of the Official Plan are maintained.

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5. The Township will use the following guidelines when assessing any application for an extension or enlargement of a use that is zoned as a non-conforming use:
 - i. The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
 - ii. The extension or enlargement should be in reasonable proportion to the existing use and to the land on which it is to be located.
 - iii. Any extension or enlargement involving land should be minor in relation to the total property. Any major change shall require an amendment to the Plan.
 - iv. The compatibility of the extension or enlargement to surrounding uses with regard to noise, vibration, fumes, smoke, dust, odours, lights, and traffic generation will be examined carefully.
 - v. 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.
 - vi. Proper access to the site will be provided to ensure that no traffic hazards are created.
 - vii. Adequate on-site parking and loading space will be provided.
 - viii. Applicable services, such as storm drainage, water supply, sewage disposal, and roads, etc. are adequate or will be made adequate.
 - ix. 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.
6. The Township may permit a change in use to a similar use or more compatible use.
7. Where an existing building or structure that has been zoned as a non-conforming use is destroyed, such building or structure may be reconstructed to its former dimensions and location, provided work is commenced within twelve months of the date of destruction.
8. 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.
9. In certain exception circumstances, the development of existing undersized lots on private services may be permitted in accordance with the relevant provisions of the Zoning By-law and this Plan, provided the lot is of an adequate shape and size with soils appropriate for a well and sewage disposal system approved by the appropriate authority. The minimum lot size for private services development will be 2,000 m². A lot addition or enlargement to an existing undersized lot may be permitted even though the addition does not bring the lot up to the standard required in the Zoning By-law. In such a case, the lot does not lose its non-conforming status and may be developed in accordance with the relevant provisions of the By-law.

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15.4.5 Conversion of Existing Buildings or Changes in Land Use

Notwithstanding Sections 16.2 (General Policies) and 16.4.4 (Holding Zones), Council may pass by-laws to permit the use of an existing building or structure for a use that does not conform to the land use designation in the following situations:

1. Where an existing building or structure, used for a non-conforming use, cannot economically, practically or reasonably be converted or adapted to a use in conformity with the Official Plan land use designation.

Council, before passing such a by-law, will be satisfied that the following will be fulfilled to safeguard the wider interests of the public:

2. The surplus building is suitable for the proposed use with respect to Building Code regulations;
3. Off-street parking is adequate;
4. The proposed use is compatible with surrounding land uses with regard to noise, fumes, smoke, odours, traffic, hours of operation, signs, and other undesirable features;
5. The neighbouring conforming uses are protected, where necessary, by the provision of landscaping, buffering or screening;
6. Parking, driveways, loading areas are improved, relocated, and buffered as warranted;
7. Wherever possible, the aesthetic appearance of the building and property is improved and maintained;
8. Sewer and water capacities are adequate to serve the new use;
9. For conversion to residential uses, the proposed density is appropriate for the area and amenities are adequate; and
10. A site plan control agreement may be required prior to enactment of an amending by-law.

A Record of Site Condition (RSC) may be required to address certain changes to land use or building use conversion. It should be noted that the *Environmental Protection Act* (EPA) still applies in situations where there is no *Planning Act* application.

15.4.6 Interim Control By-law

The Township may pass Interim Control By-laws to control the use of land, buildings or structures within designated areas of the Township and in accordance with the provisions of Section 38 of the *Planning Act* in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by the Township. Any Interim Control By-law approved by the Township will 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.

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15.4.7 Increased Height and Density Provisions

1. The Township may pass Zoning By-laws in accordance with the *Planning Act* to permit an increase in the maximum height or density of a development, in exchange for the provision of such facilities, services or matters as are set out in the By-law.
2. The owners of the subject lands will address one or more of the following requirements to the satisfaction of the Township in order to be eligible for increases in the height and/or density of development beyond that otherwise permitted:
 - a. the provision of affordable housing, assisted housing or housing for those with special needs;
 - b. the provision of community facilities, such as parks, day nurseries, or community centres;
 - c. the preservation of cultural heritage resources;
 - d. the dedication or provision of open space, recreation facilities, or open space trails;
 - e. the provision of energy conservation and environmental performance measures.
3. The increased height and density provisions will be implemented through the implementing Zoning By-law. The Zoning By-law will outline the detailed development standards upon which the bonus provisions will be based and identify the areas or zone classifications where such bonus provisions may apply.
4. In all cases, the facilities, services or matters provided in exchange for increased height or density of a development project will be directly linked to the nature of the development and will be located on the lands that are being developed.
5. The transfer of increased height and density provisions from one site to another site or from one project to another project will not be permitted.
6. In all cases, development resulting from the application of increased height or density provisions will meet all other applicable Zoning By-law provisions and regulations.
7. Before passing Zoning By-laws to allow an increase in height or density of a development project, the Township will review the implementation of increased height and density provisions of the *Planning Act* having regard to the following specific matters:
 - i. the type or types of development to which increased height or density provisions may apply;
 - ii. area or areas of the Township where these provisions may apply;
 - iii. the facilities, services or matters that may be provided in exchange for increased height or density; and

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- iv. the extent of the increases in height and density that may be granted.
8. In all cases, development resulting from the application of increased height or density provisions will be compatible with adjacent uses and meet the general intent and purpose of this Plan.
9. The facilities, services, and matters that are to be provided will be commensurate with the increased height or density that may be granted for each development project.
10. As a condition to the application of increased height or density provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the Township to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the increase in height or density to be given.

15.4.8 Significant Archaeological Resource

1. Council may conserve the integrity of archaeological resources by adopting zoning by-laws under Section 34(1) 3.3. of the *Planning Act* R.S.O. 1996, to prohibit any land use activities, and the erection of buildings and structures on sites with significant archaeological resource(s).

15.5 Site Plan Control Areas

1. It will be the policy of Council to designate the entire Plan area as an area for Site Plan Control pursuant to the *Planning Act*, with the following exceptions:
 - a. Any development on lands zoned for public park, private open space, agricultural, and rural uses;
 - b. Single detached dwellings, two-family dwellings, triplex dwellings, fourplex dwellings, on individual lots, and buildings accessory thereto, regardless of zoning.

Council may impose site plan control on exempted properties during the development application review process where warranted.

Site plan control may be applied to the exterior design of new buildings including, without limitation, the character, scale, appearance, building design features, and their sustainable design, where appropriate. Site plan control may also be applied to the sustainable design elements on any public road immediately adjoining a property being developed including, without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, and bicycle parking facilities.

15.6 Parks and Recreation

15.6.1 Parkland Conveyance

The Council will require as a condition of approval for the division of land under Section 51 or Section 53 of the *Planning Act* that the owner convey 2% of such lands for park or public

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recreational purposes in the case of land proposed for commercial or industrial purposes, and 5% in all other cases, where appropriate.

Lands having environmental or hazardous problems are not acceptable, however, Council may give consideration to the acceptance of such land that protects and preserves sites, or areas considered sensitive in accordance with policies contained herein. Council may also recommend landowners convey land to trusts or other conservation organizations that serve to protect and preserve lands considered sensitive.

All lands to be conveyed to the Township for park or other public recreational purposes will be approved by Council. Where a watercourse adjoins such lands, adequate space for access to the lands will be provided for maintenance and operation purposes.

15.6.2 Cash-In-Lieu of Parkland

In most cases, Council will require the payment of money to the value of the land otherwise required to be conveyed in lieu of such conveyance as its policy alternative to Section 3(6)(a) of this Plan. The amount of payment for the value of the land shall be determined in accordance with the provisions of Sections 51 and 53 of the *Planning Act*. All such monies collected by the Township shall be used in accordance with Section 42 of the *Act*.

15.6.3 Parkland Requirements

Due to the rural nature of the Township, which is based upon the agricultural land resource value, land for active parks or public recreation purposes is presently not required. Instead, Council will consider the needs of the residents and continue the consolidation of services and facilities within its major recreational park area.

In general, Council will obtain cash-in-lieu of parkland dedication to provide for the upgrading and maintenance of the existing park and recreational facilities. The major park property requires landscape improvements, drainage upgrading, and equipment replacement or upgrading.

Council should give consideration to financial agreements with other public authorities for development of services or facilities deemed appropriate, particularly where they require large financial commitments and are most effectively maintained through shared arrangements for the benefit of the residents.

15.7 Home Occupations

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

- a. include a detailed list of permitted home occupations;
- b. generally limit the number of employees, other than residents of the house to two individuals;

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- c. provide a maximum percentage of the floor area of the residence that may be used for the home-based business, or the maximum floor area of an accessory structure;
- d. ensure the external appearance of the residence is maintained and regulate outdoor storage and signs;
- e. provide appropriate parking standards for such uses; and
- f. limit traffic impact, ensure safe access, and prohibit uses that are deemed to be significant traffic generators.

Home-based businesses located along Highway 11 require the approval of the MTO. Typically, the MTO will require that the property owner obtain an entrance and sign permit. As a condition of these permits, the MTO requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate a Home Occupation. In addition, the MTO would not support a future severance where a property owner wishes to separate the business from the property and, therefore, would require a new entrance from the highway for the new lot of record.

Home Occupations may be subject to Site Plan Control.

15.8 Maintenance and Occupancy

It is the intent of the Township to encourage the maintenance of the Township as a pleasant environment for living, working, shopping, and recreation. Continued maintenance of property is essential to the welfare of the Township.

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

1. The Township will endeavour to support further property maintenance and safe occupancy by:
 - a. utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties;
 - b. undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance; and
 - c. maintaining municipally-owned buildings, properties, and community facilities, and providing or maintaining municipal services in good repair.
2. Upon adopting a Maintenance and Occupancy By-law, the Township will appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law.

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3. The Township will also appoint a Property Standards Committee in accordance with the *Building Code Act* for the purpose of hearing appeals against an order of the Property Standards Officer.
4. The By-law will be administered using a standard recording form for building or property condition to provide a clear and equitable procedure for evaluating building condition.
5. The Maintenance and Occupancy By-law will prescribe standards for the following matters and any others that may be considered necessary:
 - a. the keeping of yards, vacant lands, parks, waterfront areas, laneways, and passageways, free from debris, rubbish, weeds, abandoned or used vehicles, trailers, boats, barges, mechanical equipment, or similar material;
 - b. the adequacy of sanitation control, including garbage disposal, sewage, and drainage;
 - c. the maintenance of parking and storage areas;
 - d. the maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural lighting and ventilation, condition of chimneys, fire protection standards, and general cleanliness and upkeep;
 - e. the maintenance of fences, swimming pools, accessory buildings, and signs;
 - f. the establishment of occupancy standards, including pest prevention, adequacy of food preparation facilities, access, ventilation, maximum number of persons per dwelling unit, minimum floor spaces, and room heights; and
 - g. to prescribe minimum standards for the maintenance of heritage attributes for properties designated under the *Ontario Heritage Act*.

15.9 Other By-laws

By-laws passed by the Township under the authority of the *Municipal Act* or any other Act may implement the policies of this Plan. For instance, By-laws dealing with the regulation of derelict motor vehicles, wrecking yards, pits and quarries, trailers, or signs may be passed by the Township where considered appropriate. Any such By-law shall conform to this Official Plan.

15.10 Committee of Adjustment

When a Zoning By-law is in effect, a Committee of Adjustment may be appointed to rule on applications for minor variance from the provisions of the Zoning By-law. In granting a variance, the Committee will be satisfied that such variance is minor, is desirable for the appropriate

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development or use of the land, building or structure, and that the intent and purpose of the Official Plan and Zoning By-law are maintained.

In addition, the Committee of Adjustment has the power to permit an extension or enlargement for a building or structure that is a non-conforming use and to grant consents for lands located within the Township. The Committee will have regard for the policies of this Plan in reviewing such applications.

The Committee of Adjustment has the power to grant consents to sever land in accordance with the *Planning Act*.

15.11 Interpretation

In interpreting the Plan, the following policies apply:

- i. Consider boundary designations on the maps as general guidelines only, except where bounded by such features as existing roads, railways, rivers, waterbodies, and other defined features. Where the boundary is meant to reflect the boundary of a hazardous, environmentally sensitive or natural heritage feature, the edge of the floodplain, hazardous, environmentally sensitive or natural heritage feature is the boundary.
- ii. Permit minor adjustments to the Plan, without a formal amendment, in its implementation through the passing of by-laws or carrying out of programs, provided the general purpose and intent of the Plan is maintained.
- iii. In some instances, overlapping resource areas has resulted in properties that are designated for more than one resource use, such as mining, aggregate extraction, and agriculture. In these cases, existing uses should not preclude sequential land uses that are compatible with the area. Subsequent uses should also be considered prior to rehabilitation and integrated into site rehabilitation plans.
- iv. It is intended that all figures and quantities contained in the Plan be considered in the metric form. Amendments will not be required for any reasonable variation from these figures and quantities, provided such variations meet the intent of this Plan.
- v. It is intended that buildings, structures, and uses that are normally incidental, accessory, and essential to a permitted use will also be allowed, even though not specifically stated in the land use policies. Further examples of permitted uses for the designations are intended to indicate the possible range of uses considered appropriate and not to be interpreted as all encompassing unless otherwise stated as such. All permitted uses shall be in conformity with the intent and policies of this Plan.
- vi. Any significant change from the policies contained herein will require an amendment to the Official Plan and implementing Zoning By-law. If a change is major, particularly if it will cause changes in the way in which an area is developing, then the Official Plan should be reviewed in whole.
- vii. Where any Act or portion of an Act, policies and guidelines is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may replace the specified Act or revisions to policies and guidelines.

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- viii. For the purposes of this Plan, it will be interpreted that the word "existing" when used in this Plan will mean existing as of the date of the adoption of this Plan by the Township.
- ix. For the purposes of this Plan, it will be interpreted that the word "Township" shall mean the Corporation of the Township of Armstrong.
- x. For the purposes of this Plan, the word "development" is intended to reflect the same definition as the PPS in effect at the time of the application, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process or works subject to the *Drainage Act*.

15.12 Monitoring and Review

In order to ensure the continued relevancy of this Plan, the *Planning Act* requires that municipalities review and update their Official Plans every 5 years (or 10 years after a new plan is prepared). The required review will take into account the following factors, among other matters:

1. population growth and development activity;
2. progress made towards achieving intensification targets;
3. the impact of changes in the economic, social, and physical circumstances of the Township as they affect this Plan;
4. changes in Federal and Provincial policies and programs as they affect this Plan;
5. the extent to which the Plan's goals and objectives have been achieved; and
6. the impact of the Plan on the development of the Township.

15.12.1 Technical Amendments

In the case of technical amendments to the Official Plan or Zoning By-law, notification to and consultation with the public will not be required. However, the proposed amendment will be published in the newspaper. This approach will be restricted to the following:

- Altering punctuation or language for consistency;
- Correcting grammatical, dimensional, boundary, mathematical, or typographical errors;
- Inserting historical footnotes or similar annotations;
- Changing the number and arrangements of the text, tables, schedules, and maps;
- Deleting redundant provisions; and
- Correcting anomalies.

15.13 Pre-Consultation and Complete Applications

15.13.1 Pre-Consultation

The Township of Armstrong encourages pre-consultation on all land use planning applications. Council may pass by-laws to require that proponents pre-consult with Staff prior to making an application for an Official Plan Amendment, a Zoning By-law Amendment, Site Plan Approval, draft Plan of Subdivision, and draft Plan of Condominium. Pre-consultation will be used to determine the additional information and material required to form a complete application for *Planning Act* purposes.

15.13.2 Complete Application

The *Planning Act* gives municipalities the ability to request, in addition to the minimum prescribed requirements, information, and material for certain types of land use planning applications to make an informed decision, provided that the municipal Official Plan contains provisions relating to the additional information and material. The *Planning Act* also gives the municipalities the ability to refuse to accept an application if it does not include the minimum prescribed requirements, any additional requirements contained in the Official Plan, and any required fee.

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

- Hydrogeological and terrain analysis report
- Servicing capacity/feasibility/options study
- Water supply assessment
- Groundwater impact assessment
- Surfacewater impact assessment
- Stormwater management report/drainage plan
- Environmental impact study
- Phase 1 and Phase 2 Environmental Site Assessment
- Floodplain assessment
- Slope stability study
- Traffic impact study
- Planning rationale
- Minimum Distance Separation Calculation
- Landscape Plan
- Archaeological assessment
- Natural heritage evaluation
- Heritage assessment
- Noise/dust/vibration/odour study
- Agricultural soils assessment
- Market study
- Concept plan showing planned land use
- Land use inventory

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- Geotechnical assessment of an abandoned mine
- Confirmation letter from a licensed hauler for sewage
- Public consultation strategy
- Any other study identified in the Official Plan.

The additional information and material that may be required depends on the nature and character of the site, surrounding area, the proposal, and the type of approval sought. The additional information and material required as part of a complete application, including any exceptions to the above list of studies, will be determined and confirmed by the Township during the pre-consultation process. The Township may refuse to accept an application that is not complete.

1. For studies required to support development proposals or *Planning Act* applications, under the Township's jurisdiction, the Township will review the studies and may do so internally or through the use of peer reviewers, with the cost of such review at the proponent's expense. Where appropriate, the Township may also consult with provincial ministries and agencies.
2. In addition to the information and materials required under the *Planning Act* and Ontario Regulation 543/06 or 545/06 or 200/96, as amended, the following will be provided as part of a complete application where applicable by the applicant at the time of the filing of an application for an amendment to the Official Plan, Zoning By-law, consent, subdivision, or a minor variance:
 - a. description of the applicant's interest in the land (owner, tenant, purchaser);
 - b. identification of the registered landowner, if different from the applicant;
 - c. identification of the agent for the applicant, if any;
 - d. assessment roll number;
 - e. owner's authorization/consent to apply for an amendment if the owner is not the applicant;
 - f. description and/or plan of the existing uses, previous uses and complete description of the subject lands;
 - g. description and/or plan of the existing land uses within 500 metres of the subject land; and
 - h. detailed outline of the reasons for the amendment.
 - i. The Township may also request additional information and material as set out in Section 15.13.2 of this Plan.

15.14 Public and Indigenous Consultation

Public consultation regarding proposed official plan amendments, proposed zoning by-law amendments, proposed plans of subdivision and proposed consents will be undertaken as directed by the *Planning Act* and all relevant regulations.

The Township shall consult with Indigenous communities and the Metis of Ontario with respect to *Planning Act* applications that may impact Aboriginal rights and/or treaty rights.

15.15 Cross-Jurisdictional Coordination

The Township may choose to work with the Province, neighbouring municipalities, First Nations, and other agencies when dealing with land use planning matters.

15.16 Definitions

For clarification of certain terms used throughout this Plan and to provide guidance in interpreting the policies of this Plan, reference will be made to the following definitions (in the case of any discrepancies, definitions in the Provincial Policy Statement and other applicable policy or legislation shall supersede the definitions found herein):

Adjacent lands:

Those lands, contiguous to a specific natural heritage feature or area, where it is possible that development or site alteration may have a negative impact on the feature or area. The extent of the **adjacent lands** may be recommended by the province or based on municipal approaches that achieve the same objectives; and those lands contiguous to a protected heritage property.

Adverse effects:

As defined in the *EPA*, means one or more of:

- impairment of the quality of the natural environment for any use that can be made of it;
- injury or damage to person, property, or plant and animal life;
- harm or material discomfort to any person;
- impairment of the safety of any person;
- rendering any property or plant or animal life unfit for use by humans;
- loss of enjoyment of normal use of property; and
- interference with normal conduct of business.

Affordable:

In the case of ownership housing, the least expensive of:

- housing for which the purchase price results in annual accommodation costs that do not exceed 30 percent of gross annual household income for low and moderate income households; or
- housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;

In the case of rental housing, the least expensive of:

- a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or

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- a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural uses:

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

Areas of archaeological potential:

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

Areas of natural and scientific interest (ANSI):

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

Barrier:

Includes anything that prevents a person with disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technical barrier, a policy, or a practice.

Best Management Practices (BMPs):

Techniques, facilities, and structures designed to protect or improve the natural environment during land development activities and to mitigate the effects of various land uses. BMPs are implemented during the initiation and/or operation of a number of activities, such as agriculture, development servicing, aggregate extraction, woodlot management, retrofitting activities, and water taking.

Examples of BMPs include, but are not limited to, land use restrictions, source controls of pollutants, stormwater management ponds, grassed swales, woodlot management, soil erosion control, crop rotation, tree windbreaks, and natural fencerows.

Built heritage resource:

A building, structure, monument, installation, or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community.

Comprehensive review:

An Official Plan review that is initiated by the Township, or an Official Plan amendment that is initiated or adopted by the Township that:

- is based on a review of population and employment projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial and local interests;
- utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to

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accommodating the proposed development within existing settlement area boundaries;

- is integrated with planning for infrastructure and public service facilities and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
- confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
- confirms that sewage and water services can be provided; and
- considers cross-jurisdictional issues.

Cultural heritage landscape:

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

Development:

Is a term that means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

- activities that create or maintain infrastructure authorized under an environmental assessment process;
- those works subject to the *Drainage Act*;
- underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*.

Ecological functions:

The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems, and landscapes. These may include biological, physical, and socio-economic interactions.

Endangered species:

Any native species, as listed in the Regulations under the *Endangered Species Act*, that is at risk of extinction throughout all or a significant portion of its Ontario range, if the limiting factors are not reversed.

Erosion hazards:

The loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using the 100 year erosion rate (the average annual rate of recession extended over a hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Fish:

Fish, shellfish, crustaceans, and marine animals, at all stages of their lifecycles.

Fish habitat:

The spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood fringe (for river and stream systems):

The outer portion of the flood plain between the **floodway** and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the **floodway**. The flood fringe is the area within a recognized two-zone, where development and site alteration may be permitted, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Conservation Authority.

Floodplain (for river and stream systems):

The area, usually lowlands adjoining a watercourse, that has been or may be subject to flooding hazards.

Flooding hazards:

The inundation of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water: The flooding hazard limit is the **one hundred year flood** limit.

Floodway (for river and stream systems):

The portion of the floodplain where development (other than uses that, by their nature, must be located within the floodway, flood and/or erosion control works or where appropriate, minor additions or passive, non-structural uses that do not affect flood flows), and site alteration would cause a danger to public health and safety or property damage.

Where the one-zone concept is applied, the floodway is the entire floodplain.

Green infrastructure:

Natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Gross Density:

The density of the residential development in an area, including all local roads and parks.

Habitat of endangered species and threatened species:

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

Hazardous:

forest types for wildland fire - forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Lands - property or lands that could be unsafe for development due to naturally occurring processes. Along river and stream systems, this means the land, including that covered by water, to the furthest landward limit of the flooding or erosion hazard limits.

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Sites - property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Substances - substances that, individually or in combination with other substances, are normally considered to pose a danger to public health, safety, and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive, or pathological.

High water Mark:

The mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

Influence area:

The area, at or below grade, surrounding an aggregate resource area in which aggregate resource extraction might have an **adverse effect** on a **sensitive land use**. **Adverse effects** might include, but not be limited to, impacts on human health, loss of normal enjoyment of property, damage to property, or loss of values to property.

Infrastructure:

Physical structures that form the foundation for development. Infrastructure includes: sewage and water works, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

Low and moderate income households:

In the case of ownership housing, households with income in the lowest 60 percent of the income distribution;

In the case of rental housing, households with income in the lowest 60 percent of the income distribution for renter households.

Mineral aggregate:

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate operation:

- Lands under licence or permit, other than for a wayside pit or quarry, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
- For lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning bylaws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- Associated facilities used in extraction, transport, beneficiation, processing, or recycling of mineral aggregate and derived products, such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resource conservation:

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Minimum distance separation formulae:

Formulae and guidelines developed by the province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Minor:

In the context of the Committee of Adjustment, minor is a relative term and must be interpreted in the particular circumstances involved. Minor is not a matter of arithmetic. Rather, minor relates to the impact of the variance – its impact on policy, neighbours, water quality, future development, planning practices, zoning regulations to name a few. Minor can only be determined in the context of the specific application before the Committee of Adjustment.

Natural heritage features and areas:

Features and areas, such as significant wetlands, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E, and 7e, fish habitat, significant woodlands, significant valleylands in Ecoregions 6E and 7E (excluding islands in the Lake Huron and St Marys River), habitat of endangered or ***threatened species***, significant wildlife habitat, and significant ***areas of natural and scientific interest***, which are important for their environmental and social values as legacy of the natural landscapes of an area.

Natural heritage system:

A system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts:

- in regard to *individual on-site sewage services and individual on-site water services*, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- In regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where it has been authorized under the *Fisheries Act*.
- In regard to other natural features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

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- In regard to degradation to the quality and quantity of water, sensitive surfacewater features and sensitive groundwater features and their related hydrologic functions, due to single, multiple, or successive development of site alteration activities.

Net density:

The density of the residential development on the site proposed for development, not including local roads and parks.

On-farm diversified uses:

Uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

One hundred year flood (for river and stream systems):

That flood, based on an analysis of precipitation, snowmelt or a combination thereof, having a return period of 100 years on average or having a 1% chance of occurring or being exceeded in any given year.

Organic Soils:

On soils maps, organic soils are often classified as muck, marsh, and peat type soils. Organic and peat soils are formed by humification, the decomposition of vegetative and organic materials into humus. The high percentage of organic matter results in a high moisture retention capacity, making them poorly drained. Organic soils lack structure, erode easily, and compress so much that they usually cannot support structures.

Prime agricultural area:

Areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land:

Specialty crop areas and/or CLI Classes 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Public service facilities:

Land, buildings, and structures for the provision of public services, but does not include *infrastructure*.

Public services:

Programs and services provided or subsidized by a government or other public body. Examples include social assistance, recreation, police and fire protection, health and educational programs, and cultural services.

Quality and quantity (of water):

Is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients, hazardous contaminants, and hydrologic regime.

Residence surplus to a farming operation:

An existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification:

Intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, second units and rooming houses.

River and stream systems:

All watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas:

A system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Sensitive land uses:

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples include: residences, day care centres, cultural heritage resources, and educational and health facilities.

Settlement areas:

Means urban areas and rural settlement areas within the Township that are:

- Built-up areas where development is concentrated and that have a mix of land uses; and
- lands that have been designated in the Plan for development over the term of this Plan.

Sewage and water systems:

Full municipal sewage and water services - large scale piped sewage and water services that are connected to a centralized water and wastewater treatment facility as per the *OWRA* and the *Safe Drinking Water Act (SDWA), 2002*.

Communal services - sewage works and sewage systems and water works as per the *OWRA* and the *SDWA* that provide for the distribution, collection, or treatment of sewage or water but which:

- are not connected to full municipal sewage and water services;
- are for the common use of more than five residential units/lots; and
- are owned, operated and managed by the Township; or another public body; or a condominium corporation or single owner that has entered into an agreement with the Township or public body, pursuant to Section 51 of the *Planning Act*, providing for municipal/public body assumption of the communal services in the event of default by the owner.

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Individual on-site systems - individual autonomous water supply and sewage disposal systems, under the *Building Code Act*, that are owned, operated, and managed by the owner of the property upon which the system is located and that do not serve more than five residential units/lots.

Partial services - connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

Significant:

- In regard to wetlands and areas of natural and scientific interest, an area identified as “provincially significant” by the MNRF using evaluation procedures established by the Province.
- In regard to other features and areas, it relates to the ecological importance in terms of features, functions, representation, or amount and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used.
- In regard to other matters, important in terms of amount, content, representation, or effect.

Significant archaeological resources:

The remains of any building, structure, activity, place, or cultural feature that, because of the passage of time is on or below the surface of the land or water, and that has been identified and evaluated and determined to be significant to the understanding of the history of a people or place. The identification and evaluation of this resource is based upon an archaeological assessment.

Site alteration:

Activities, such as fill, grading, and excavation, that would change the landform and/or natural vegetative characteristics of a site.

Sustainable development:

Development to meet the needs of the present without compromising the ability of future generations to meet their own need.

Threatened species:

Any native species that is at risk of becoming endangered on all or a portion of its Ontario range, if the limiting factors are not reversed.

Waste management system:

Sites and facilities to accommodate solid waste from one or more Township and includes landfill sites, recycling facilities, transfer stations, processing sites, and hazardous waste depots.

Watercourse:

A stream of water that flows along a defined channel, with beds and banks, for a sufficient time to give it substantial existence. This may include streams that dry up periodically.

Water Resource:

Includes a watercourse, wetland, lake, beaver ponds, municipal drains, or other similar waterbody features.

Wave uprush:

The rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside pits and quarries:

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

Wetlands:

Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, and fens.

Periodically soaked or wet lands being used for agricultural purposes that no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards:

The combination of risk assessment tools and environmentally appropriate mitigation measures identified by MNRF to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat:

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

Woodlands:

Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products.

SCHEDULE 'A'

Village of Earlton

SCHEDULE 'B'

Rural Area