

**OFFICIAL PLAN FOR THE TOWNSHIPS OF
GORHAM, WARE, AND THE DAWSON ROAD
LOTS, LOTS 1- 20 CONCESSION A AND B, EAST OF THE KAMINISTIQUIA RIVER**

LAKEHEAD RURAL PLANNING BOARD

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SECTION 1 - INTRODUCTION

1.1 PREAMBLE

The Lakehead Rural Planning Area is comprised of both organized municipalities and the unorganized geographic townships of Gorham, Ware, and a portion of the Dawson Road Lots located east of the Kaministiquia River, and being Lots 1 to 20, Concessions A and B. The unorganized geographic townships of Pearson and Scoble were also previously included in the planning area, but were recently part of a municipal restructuring that saw them added to Municipality of Neebing.

This official plan covers the unorganized geographic townships of Gorham, Ware and a portion of the Dawson Road Lots. The Lakehead Rural Planning Board administers this official plan and an implementing zoning (previously established as a Minister's Zoning Order) covering part of the planning area.

Existing land use within these geographic townships includes agriculture, commercial, industrial, institutional, residential (permanent and seasonal) and resource based aggregate and forestry activities. Residential concentrations have emerged on the shorelines of Greenpike, Maki, Surprise and Trout Lakes; within the Dawson Road Lots; within the communities of Kaministiquia and Lappe; within six existing mobile home parks; and within a number of smaller linear concentrations along various public road frontages. None of these are well suited to being identified as settlement areas as defined by Ontario's Provincial Policy Statement, or to the assumption that such locations should evolve into communities for which urban scale services should be established.

The current official plan includes a growth management strategy premised upon a maximum ceiling of not more than 200 newly created lots from 1997 to 2017 and a restrictive severance policy (one only). This policy was introduced in a previous comprehensive amendment as a means to accommodate limited non-resource based development and is consistent with Subsection 1.1.5.3 of the 2005 Provincial Policy Statement for locations without municipal organization. It is expected that the next five year review, scheduled for 2015 will include a comprehensive review of this strategy and will address extension of the timing and target for lot development as one of several options for a future management strategy.

To date, annual severance activity within the planning area continues to be consistent with the maximum ceiling of 200 new lots from 1997 to 2017, and in fact severance activity in the last few years has been diminishing in intensity. During the year 1997 to 2004, severance activity diminished from 22 new lots in 1997 to 4 new lots in 2004. 2005 to 2009 continued the lower average performance, with typical annual consents in the order of 5 to 7 new lots per year. IT IS EXPECTED THAT AVERAGE CONSENTS WILL CONTINUE TO BE IN THE ORDER OF 5 TO 7 PER YEAR. This lower average is thought largely to be due to the economic stress of the last few years, higher gas prices,

and the tightening of consent approvals by the addition of more onerous conditions such as having to prove water supply as a condition of the consent. The latter is thought to have caused a decrease in the number of speculative consents.

From 1997 to 2004, the number of consents issued totals 85, thereby leaving a total of 115 new lots available to 2017 under the ceiling of 200 lots established in the plan.

It is noted that Pearson and Scoble have been removed from the original area to which the strategy and the growth ceiling applied, however this is anticipated to have only minimal impact on growth in the remaining planning area since the focus of growth appears to have been upon Gorham and Ware. Given that the growth strategy will be either updated or replaced in five years, no alteration of the strategy to reflect the change in the planning area is recommended.

IT IS SUGGESTED IS THAT THE PLANNING BOARD CONSIDER MAKING A FUNDING SUBMISSION TO ONTARIO FOR FUNDS TO CARRY OUT A COMPREHENSIVE REVIEW IN ANTICIPATION OF THE UPCOMING END OF THE CURRENT GROWTH MANAGEMENT STRATEGY.

It is not the intent of this official plan to create a settlement area since there is only minimal governing structure to manage infrastructure and services that would arise from that level of development. In addition, the current one severance per parcel policy does not lend itself to the creation of a density of development that would facilitate a settlement area.

Relevant Definitions

For the purposes of this official plan, the following shall be considered to apply;

- a) Rural character shall mean an environment wherein open space and natural features and ecological functions predominate over the built up environment, and where land use is characterized by agricultural activity, forestry harvesting, or other natural resource based activity and/or recreational resource based activity, and may include limited, individual rural residential use on large lots and at low density.
- b) Land use designations shall mean a specifically defined area of land within which a particular set of land use activities are to be considered and to which a particular set of goals, objectives, and policies are to be applied.
- c) The Provincial Policy Statement uses the terms settlement area and rural area to describe lands. A settlement area is defined as urban areas and rural settlement areas within municipalities that are built up areas where development is concentrated and which have a mix of land uses, and lands that have been designated in an official plan for development over the long term planning

horizon implementing section 1.1.2 of the PPS; and defines rural as being any lands that are not settlement area that are not prime agricultural lands.

- d) Land use constraints shall mean specific physical features such a lands susceptible to flooding or erosion; natural heritage or cultural heritage values; incompatible land uses such as railway yards, major highway or railway corridors; specific situations such as contamination or man-made hazards such as mine debris or mine shafts; or specific conditions such as noise, or odour that complicate, threaten or have the potential to alter a development initiative.
- e) Sensitive land uses shall mean lands used for residential, commercial, institutional, or open space use that could be impacted by abutting or nearby land uses that generate negative impacts and/or adverse effects.

Sustainability is included in this official plan as a planning concept and is encouraged to be part of the consideration in the making of planning and development decisions. Given the lack of local government tools to implement sustainability, the concept is offered for education purposes and as a reminder and reference to the Board to be used in decision making.

Sustainability involves the management and use of land and resources and the conduct of a general lifestyle so as to meet current needs without compromising the capacity of future generations to do the same.

1.2 PURPOSE AND GOALS OF THE PLAN

- 1.2.1 The following text and schedules constitute the official plan for the Gorham, Ware, and Part of the Dawson Road Lots area.
- 1.2.2 The goals and objectives of this Plan form the foundation of planning principles and provide direction to guide detailed policies and programs. The goals reflect the present and future needs and values of the Planning Board and the residents of the planning area.
- 1.2.3 The goals of this Official Plan are to:
 - (a) establish policies which manage and direct physical change and the effects on the social, economic and natural environment, of the planning area, over the next 20 years, including development within the next five year review, of a new growth management strategy to replace the current policy that is due to terminate in 2017.
 - (b) protect and maintain the rural quality of life in the planning area;
 - (c) minimize land consumption and servicing costs, and ensure that services necessary to support development are or will be available;

- (d) secure the health, safety, convenience and welfare of the residents of the planning area, and protect the financial well-being of Ontario and of surrounding municipalities;
- (e) ensure that the planning area's resources are rationally used;
- (f) permit the delegation of approval to the Planning Board with respect to decisions regarding land use planning matters for such matters as consents, zoning amendments and minor variances;
- (g) qualify the Planning Board for various programs funded by senior levels of government;
- (h) inform the residents of the planning area of the policies that affect the development of land;
- (i) provide a guiding framework for implementing by-laws and for decisions of local boards, commissions, committees, and other authorities;
- (j) improve accessibility for persons with disabilities and for the elderly by removing and/or preventing land use barriers which would restrict their full participation in society;
- (k) have regard for Section 2 Provincial Interest in the Planning Act; be consistent with Ontario's 2005 Provincial Policy Statement; and conform to the Northern Growth Plan;
- (m) promote resource based economic development within the planning area as a means of supporting the local population and contributing to the larger surrounding local area and economy.

1.3 OBJECTIVES

- 1.3.1 The Planning Board is committed to encouraging, throughout the planning area, development which maintains the rural quality of life and sustains the local economy through a focus on the resource and recreational potential of the area. Key planning principles will be:
- (a) That residential development will remain low density, in subject to compliance with all other policies and guidance within this plan;
 - (b) Evolution of a settlement area is not anticipated within the time frame of this official plan.
 - (c) that development will not negatively impact nearby Municipalities or the Province, or create undue demands on the services and infrastructure normally provided by those Municipalities or the Province; and
 - (d) notwithstanding that there are considerable vacant parcels of land in the planning area, it is important to the local population that some severance opportunity continue to exist, allowing transfer of family lands. Participation in the Planning Area is seen as a means of securing continued severance activity.
- 1.3.2 The Planning Board shall maintain a twenty year supply of residential lands sufficient to meet projected demand, and shall encourage development that supports efficient and effective provision of local services at current levels. In

addition, a three year supply of lots, being in the order of 15 to 21 lots ready for immediate development shall be maintained. It is thought that the present combination of existing vacant lots and potential for severances, within the overview of the stated growth plan achieves these objectives.

- 1.3.3 The Planning Board shall preserve and enhance, where possible, the environmental quality of the area and minimize impacts of land uses on the natural environment and protect the integrity of ecosystems.
- 1.3.4 The Planning Board shall encourage recreational opportunities that are compatible with the natural environment and are economically feasible.
- 1.3.5 The Planning Board shall have regard for the importance of natural resources within the planning area with respect to their contribution to the economic and social well-being of the planning area and its residents, as well as the larger surrounding region.
- 1.3.6 The Planning Board shall have regard for the importance of the aggregate industry in Gorham and Ware Townships. The planning area represents an important source of aggregate, being the prime source of construction aggregate for the City of Thunder Bay, and for public road work throughout the area.
- 1.3.7 The Planning Board shall encourage the creation of housing which is affordable, accessible, adequate and appropriate to the full range of households in the planning area and shall encourage that an adequate supply of land is available to meet the housing needs of the residents of the planning area.
- 1.3.8 The Planning Board shall encourage the protection of archaeological sites and heritage properties by, among other means, the designation of such properties under the Ontario Heritage Act.

1.4 AMENDMENT AND REVIEW

- 1.4.1 This Official Plan is not a static document. Although it provides some degree of flexibility, the Plan's provisions will be reviewed at five year intervals, pursuant to Section 26 of The Planning Act, to ensure that the policies are relevant and appropriate, in light of changing conditions, and reflect a local interpretation of provincial policy statements.
- 1.4.2 Additional amendments may also occur through applications by others. All official plan amendments are subject to the approval of the Minister of Municipal Affairs and Housing.

1.5 RESPONSIBILITIES OF THE LAKEHEAD RURAL PLANNING BOARD

- 1.5.1 With respect to official plans, the Lakehead Rural Planning Board has the responsibility to:
- (a) prepare an Official Plan that is in conformity with Ontario's Planning legislation, The Northern Ontario Growth Plan, Ontario's 2005 Provincial Policy Statements, and good planning principles;
 - (b) review the Official Plan from time to time and make amendments as requested or as necessary, or as required by five year legislated review periods;
 - (c) advise and secure the views of the public, local authorities, agencies, and boards with respect to their Official Plans and amendments;
 - (d) administer a zoning by-law governing the planning area, and consent and subdivision approval authority implementing this plan.
 - (e) promote good planning concepts and principles within the planning area
 - (f) educate the residents of the planning area as to sound planning practices

1.6 OFFICIAL PLAN

- 1.6.1 This document constitutes an Official Plan of the Lakehead Rural Planning Area for the Townships of Gorham, Ware, and the Dawson Road Lots, Lots 1-20, Concession A and B, east of the Kaministiquia River and has been prepared in accordance with the provisions of The Planning Act.

1.7 TITLE

- 1.7.1 This Plan may be known as the "Official Plan for the Townships of Gorham, Ware, and the Dawson Road Lots, Lots 1-20, Concession A and B, east of the Kaministiquia River".

1.8 SCOPE

- 1.8.1 This Plan applies to all lands within each of the Township boundaries of Gorham and Ware, as well as the Dawson Road Lots, Lots 1-20, Concession A and B, east of the Kaministiquia River.

1.9 PUBLIC WORKS

- 1.9.1 Public works undertaken in the planning area shall conform to the policies of this Plan, and no public work shall be undertaken unless the works are in conformity.
- 1.9.2 Notwithstanding, the Planning Board may adopt a zoning amendment that is not in conformity with this plan, or carry out initial evaluation and consideration of public works that are not in conformity with this plan, but that would be in compliance once a related official plan amendment being processed at the time is approved and comes into force and effect.

1.10 PRIVATE INTERESTS

- 1.10.1 Private interests should adhere to the policies of this Plan. The use of private lands will be regulated in accordance with the Zoning By-law and by planning decisions such as those relating to severances.
- 1.10.2 It is also hoped that private interests will be an implementation force for the sustainability concept set out in this plan.

1.11 APPROVAL AUTHORITY

- 1.11.1 The Lakehead Rural Planning Board has the authority to prepare and recommend official plans and official plan amendments for the areas within the Lakehead Rural Planning Area.
- 1.11.2 Under the Planning Act the Lakehead Rural Planning Board may pass zoning, holding, interim control, and temporary use by-laws for any area covered by the Official Plan.
- 1.11.3 The geographic townships of Gorham and Ware, but not the Dawson Road Lots are currently covered by zoning by-laws administered by the Planning Board. The planning board may implement similar zoning by-laws for the Dawson Road Lots area that is not currently under zoning control.
- 1.11.4 The Planning Board may establish written administrative procedures.
 - (a) Procedures may be established which provide guidance with respect to any planning matters not specifically addressed in this Plan or in Provincial legislation or regulation.
 - (b) Procedures will be determined by resolution of Planning Board and with public consultation.
 - (c) By establishing formal procedures the Planning Board will identify how planning matters will be dealt with fairly and consistently.
 - (d) The procedures will be part of the operating and administrative process of the Planning Board.
- 1.11.5 It is the policy of the Lakehead Rural Planning Board that planning decisions will be based on a thorough and knowledgeable planning analysis such as may be provided by qualified staff or consultants, and such technical reports as are considered appropriate to the matter being evaluated.
- 1.11.6 The Minister has the power to delegate consent granting and subdivision approval authority to the Planning Board. The Planning Board has been delegated such authority for Gorham and Ware and for the Dawson Road Lots, Lots 1-20, Concessions A and B, East of the Kaministiquia River.

SECTION 2 - GENERAL PROVISIONS

2.1 GENERAL

- 2.1.1 The following land use policies apply to all lands in Gorham and Ware Townships, and the Dawson Road Lots, Lots 1-20, Concession A and B, east of the Kaministiquia River unless specifically mentioned for exclusion.
- 2.1.2 The designation of land for a particular use in this Plan only indicates that the land so designated may be considered for the designated use, subject to the more detailed criteria of this Plan and other legislation. There is no guarantee that any individual parcel may be used for any permitted use in a particular designation.

2.2 ZONING

- 2.2.1 The policies of this plan and land use designations are implemented by a zoning by-law enacted and administered by the Lakehead Rural Planning Board, and replacing previous Minister's Zoning Orders. Lands shall be zoned consistent with Schedule A-1 Land Use, and zoned also to reflect land use constraints that are shown on Schedule B-1.

2.3 MOBILE HOME PARKS

- 2.3.1 New mobile home parks shall not be permitted in any designation as the density and servicing requirements are not compatible with the desired rural environment.
- 2.3.2 There are six mobile home parks in Gorham Township. Expansions to mobile home parks will be discouraged. Any expansion to any existing legal mobile home park will require an amendment to this Plan and associated amendment to zoning, and will be justified on the particular merits of the proposal at the time of the amendment.

2.4 LOT CREATION

- 2.4.1 The division of land shall take place by consent only. Development by plan of subdivision does not maintain the rural character and environment of the planning area, and shall not be permitted, except where justified in a specific official plan amendment.
- 2.4.2 Consents shall only be granted that conform to the policies of this Plan, and provided that:
- (a) the retained and severed lot(s) can be adequately and safely serviced by private water supply and sanitary sewage disposal systems, and comply

- with the requirements for acceptable accommodation of individual septic and water systems as set out in the Ministry of Environment guidelines;
- (b) the soil and drainage conditions are adequate for the proposed use, and permit the proper location of buildings and the installation of private septic disposal systems;
 - (c) the lands front onto a public road that is maintained year round by the local Roads Board or the Ministry of Transportation and is of an acceptable standard of construction as determined by the Ministry of Transportation;
 - (d) no traffic hazard is created by the consent; practical access exists, and safe access/egress to the retained and severed lot(s) is feasible;
 - (e) the consent does not result in land use conflicts with existing nearby uses
 - (f) the requirements of the Minimum Distance Separation criteria shall be adhered to when a consent is being proposed in proximity to existing livestock operations;
 - (g) the lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development;
 - (h) adequate protection and preventative services for persons and property are available, including health, welfare, fire, and police;
 - (i) the consent does not result in land locked parcel(s) being created;
 - (j) a parcel held under unity of ownership as of June 1, 1997 is not subdivided by consent into more than one (1) parcel, exclusive of the retained parcel, except for the purpose of boundary adjustment, partial discharge of mortgage, easements, and rights-of-way or other public purpose not related to a new residential lot;
 - (k) the number of new, separately transferable, lots created in the townships subject of this Plan between the years 1997 and 2017, shall not exceed 200 lots, however, the distribution over area and time of those lots may be identified during the five year review of this Plan or at any earlier time as a result of any new information which may be brought to the attention of the Lakehead Rural Planning Board. Where the total of such development reaches the 200 lot ceiling, no further severance shall be approved, pending a re-evaluation of the number and/or the overall growth strategy through an Official Plan Amendment or 5-year review in Consultation with the ministry of Municipal Affairs and Housing.
 - (l) Notwithstanding the removal of Pearson and Scoble geographic townships from the planning area, the determined 200 new lot ceiling shall continue to apply until 2017.

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

- (a) boundary corrections or adjustments;
- (b) lot enlargements;

- (c) discharge of mortgage;
- (d) road widening and road allowances; and
- (e) easements.

2.4.4 Consents for non-aggregate uses shall not be permitted in areas of high or moderate aggregate resource potential as shown in the Restraints Schedule unless it can be demonstrated to the satisfaction of the Ministry of Natural Resources and the Lakehead Rural Planning Board that:

- (a) extraction of the resource is not feasible;
- (b) the proposed use serves a greater long-term interest of the general public than does aggregate extraction; or
- (c) the proposed use does not significantly preclude or hinder future extraction of the resource.

Any non-aggregate use shall require an amendment to the zoning by-law.

2.4.5 Consents for non-aggregate use may be permitted on lands within 90 meters of an Aggregate Resource Area provided:

- (a) there is no negative impact on an existing or future aggregate extraction operation; and
- (b) no negative land use impact will result from the existing or future aggregate use on the non-aggregate use (i.e. noise, dust, traffic impacts).

Any non-aggregate use shall require an amendment to the zoning by-law.

2.4.6 Consents shall not be permitted in mineral resource areas that preclude or hinder future access to, and use of these resources, unless it can be demonstrated to the satisfaction of the approval authority:

- (a) the use/extraction of the resource is not feasible; and
- (b) the proposed use serves the greater long-term interest of the general public than the resource.

2.4.7. Consents shall not be permitted in any hazardous site that could be unsafe as a result of naturally occurring or man-made hazards unless it can be demonstrated, to the satisfaction of the approval authority, that the hazard will not result in public health, safety, or potential property damage. Where Provincial guidelines or standards have been set with respect to any type of hazardous site, those should be used by the approval authority to assess the suitability of the site for development.

A hazardous site may include unstable lands or areas subject to change as a result of:

- (a) previous use such as sites used for petroleum operations;
- (b) sites prone to erosion, unstable slopes, and steep banks;
- (c) unstable soils or bedrock; and
- (d) sites containing orphaned wells, suspended wells, capped wells, underground caverns, and areas of past mining activity.
- (e) new mining development that may occur and may be identified in future land use schedules.

2.4.8 The following may be considered as conditions of consent by the Lakehead Rural Planning Board:

- (a) that, if necessary, existing zoning governing the property be amended;
- (b) that a potable water supply and capacity for a class IV leaching sewage system be proven for the severed and the retained lots.
- (c) that any necessary land for road widening, allowances, or easements be dedicated to the Ministry of Transportation or appropriate authority;
- (d) that the applicant improve road access, grading, drainage, etc. to a standard satisfactory to the local Roads Board and/or the Ministry of Transportation; and
- (e) any other condition reasonable to the granting of the consent.

2.5 PROVINCIAL HIGHWAYS

2.5.1 In addition to all the applicable municipal requirements, all proposed development located in the vicinity of a provincial highway within the Ministry of Transportation's permit control area, will also be subject to Ministry of Transportation approval. The Ministry's permit control area extends 45 metres from the property limit of the highway right of way and 180 metres from the centre point of the intersection of a side road with the provincial highway.

2.5.2 Where a new lot is proposed to be created and a planning approval is needed, a transportation study, otherwise known as a traffic impact study, prepared by a professional and certified engineer, may be required to address the both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of the development, in consultation with the Ministry of Transportation. In addition, noise study and possible mitigation measures may also be requested.

2.5.3 The Ministry of Transportation's policy is one highway entrance for one lot of record. Backlot development cannot use another entrance for access to a Provincial Highway.

2.5.4 Direct access onto a provincial highway is discouraged and/or restricted. Development is encouraged to utilize local roads and/or service roads.

- 2.5.5 Where access to a highway is a possibility, it will only be considered to those properties that meet the requirements for the Ministry of Transportation's access management practices and principles. Early consultation with the Ministry of Transportation is encouraged.
- 2.5.6 Outdoor storage and/or loading areas are to be visually screened or appropriately located so as not to be visible to the traveling public.
- 2.5.7 Any proposed snow mobile or trail crossing of Provincial Highway will require the prior approval of the Ministry of Transportation, Trails running along the right of way of a Provincial Highway are not permitted.
- 2.5.8 A drainage/storm water management report plan shall be prepared by the proponent, and reviewed and approved by the Ministry of Transportation for development that located adjacent to or in the vicinity of a Provincial Highway whose drainage may impact the highway and/or downstream properties.
- 2.5.9 For highway safety reasons, wind turbines located adjacent to a Provincial Highway will be set back a minimum distance measured from the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.

2.6 CULTURAL HERITAGE PRESERVATION

- 2.6.1 The Lakehead Rural Planning Board shall encourage the conservation, protection, and rehabilitation of heritage resources, as well as encourage and foster public awareness, participation, and involvement in the conservation of these resources. Heritage resources include, but are not limited to the following:
- (a) burial grounds and archaeological remains and sites;
 - (b) buildings and structural remains of historic, architectural, and contextual value; and
 - (c) man-made rural and village districts or landscapes of historic and scenic interest.
- 2.6.2 Development shall only be permitted on, or adjacent to, lands containing, or thought to contain, archaeological or heritage resources where such resources have first been removed or where appropriate remedial measures have been included in the development.
- 2.6.3 The Planning Board may require specific evaluation of a property as a condition of development approval where it is thought that cultural resources may be contained on the lands.
- 2.6.4 All new development permitted in this plan shall have regard for cultural heritage resources and shall wherever possible incorporate these resources into the

- development plans. In addition, all new development will be planned in a manner that preserves and enhances the context in which the cultural heritage resources are situated.
- 2.6.5 Cultural heritage resources include, but are not restricted to archaeological sites, cemeteries and burials, buildings and structural remains of historic and/or architectural value, and human-made rural, village, and districts or cultural landscapes of historic interest.
- 2.6.6 The Planning Board shall enter into a data sharing agreement with the Province in order to obtain data and maps of registered/known archaeological sites located within the townships. In addition, data and maps of any designated or locally significant heritage buildings or structures, mapped areas of archaeological potential and/or cultural heritage landscapes located within the townships shall be maintained for planning review. The Planning Board shall regularly update municipal archaeological resource mapping under the provisions of the Provincial data sharing agreement.
- 2.6.7 The Planning Board may undertake archaeological mapping will regularly update such archaeological resource mapping as new archaeological sites are identified.
- 2.6.8 Planning Board with the advice of the Ministry of Tourism and Culture may undertake the preparation of an Archaeological Management Plan, which will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the Municipality having archaeological potential. The Management Plan may also outline policies, programs, and strategies to protect significant archaeological sites.
- 2.6.9 The Planning Board shall require archaeological assessment by archaeologists licensed under the Ontario Heritage Act in areas where there are known archaeological heritage resources and/or areas exhibiting archaeological potential within the boundaries of the geographic townships of Gorham, Ware and Dawson Road Lots 1 – 20, Concession A and B, east of the Kaministiquia River.
- 2.6.10 Alternations to known archaeological sites must only be performed by licensed archaeologists.
- 2.6.11 Any significant archaeological resource or site identified may be preserved in-situ to ensure that the integrity of the resource is maintained and/or may be systematically removed through excavation by a licensed archaeologist.
- 2.6.12 The integrity of archaeological resources can be maintained by adopting archaeological zoning by-laws under Section 34 of The Planning Act or other similar provisions, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

- 2.6.13 The Planning Board shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism and Culture and the Ministry of Consumer and Business Services when an identified historic human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the Ontario Heritage Act and the Cemeteries Act shall apply.
- 2.6.14 The Planning Board shall have regard for the conservation of all significant cultural heritage resources during the undertaking of public works or environmental projects. When necessary satisfactory measures and/or heritage impact assessments will be required to mitigate any adverse impact to significant resources as outlined by the heritage conservations policies of this plan. The Board shall have regard for heritage resources in the undertaking of public works, and where necessary will require satisfactory measures to mitigate any negative impacts on significant heritage resources.
- 2.6.15 The Board shall encourage local utilities companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and which do not have a negative impact on the archaeological integrity of those resource

2.7 LAND USE COMPATIBILITY

- 2.7.1 As much as possible land use conflicts should be avoided. The encroachment of sensitive land uses and industrial uses on one another is discouraged. Buffering and separation distances in accordance with the Ministry of the Environment and Energy's guidelines shall be incorporated between sensitive and industrial uses to minimize potential adverse effects, such as noise, odour, vibration, particulate, and other contaminants. The implementing zoning by-law may include a special buffer zone between sensitive and industrial uses.
- 2.7.2 Ministry of the Environment compatibility guidelines for sewage treatment facilities and for landfill and dump sites will also be required to be addressed in official plan and/or zoning applications for new land use proposals for such facilities.

2.8 CONTAMINATED SITES

- 2.8.1 Ontario's land use policy requires that where contamination is known or suspected to be present on a property that is the subject of a planning application approval will be contingent upon the preparation and filing of a Record of Site Condition. This may be completed in advance of the planning decision or provided for as a condition of a holding zone applied to the lands.
- 2.8.2 Contaminated sites may include, but are not limited to, sites for commercial industrial, transportation, or utility purposes.

- 2.8.3 If necessary, a full environmental audit/decommissioning report shall be undertaken and a site remediation plan prepared and implemented by a qualified consultant in accordance with the Ministry of the Environment and Energy's policies and guidelines, and in consultation with the Planning Board prior to development approval being granted.
- 2.8.3 Unless potentially hazardous or contaminated lands are clearly indicated on one of the Schedules to this Official Plan, the Planning Board will maintain an inventory of contaminated or hazardous sites. The list will describe the location, size of site, and nature of the contamination or hazard at each site. The purpose of the list will be to alert the public of potential contaminated or hazardous sites based on information provided to the Planning Board or gathered during the course of the Planning Board's routine operations.

The Planning Board will take every reasonable effort to maintain a complete and accurate list. Additional studies may be required before development can proceed on any specific site, regardless of whether it is listed or not. This list is to be updated as new information is made available to the Planning Board, but no less frequently than once per year.

2.9 ACCESSORY USES

- 2.9.1 Where a use is permitted in a land use designation, it is intended that uses, buildings, or structures normally incidental, accessory, and essential to the use will also be permitted.
- 2.9.2 Boat houses will not be permitted to be constructed in the required front yard (being the yard abutting the shoreline) unless approved in a site specific zoning amendment.
- 2.9.3 Guest cabins and accessory dwellings above boat houses are not a permitted accessory use in any land use designation.

2.10 DRAINAGE

- 2.10.1 The management and removal of storm water is the responsibility of the property owner and must be managed to the satisfaction of the Ministry of Natural Resources, the Ministry of Transportation, and/or the Ministry of Environment and Energy (the latter two where dewatering is in excess of 50,000 l/day).
- 2.10.2 No development shall be permitted which would interfere with or reduce the drainage capacity of any natural watercourse.
- 2.10.3 Any development which involves the channelization, diversion, damming, walling, dredging of a natural watercourse, or the installation of a culvert, causeway, or dock in a natural watercourse, shall be in accordance with the provisions of the Lakes and Rivers Improvement Act and the Ontario Water Resources Act.

2.10.4 A storm water management plan shall be required for any large development or any development that abuts a watercourse or a waterbody, or that impacts a Provincial Highway or a Local Roads Board road.

2.11 CROWN LANDS

2.11.1 The Ministry of Natural Resources is encouraged to have regard for the policies and schedules of this Plan and to consult with the Lakehead Rural Planning Board with respect to the use and disposition of Crown Lands.

2.11.2 Authorization for occupation or use of Crown Lands is required from the Ministry of Natural Resources.

2.11.3 In addition, the Ministry of Natural Resources is encouraged to require that a Letter of Conformity from the Lakehead Rural Planning Board be obtained prior to the issuance of work permits on Crown Lands.

2.11.4 The Planning Board recognizes that resource management activities on Crown Lands are desirable for environmental, social, and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Ministry of Natural Resources.

2.11.5 Development proposals on lands adjacent to Crown Lands shall be reviewed in consultation with the Ministry of Natural Resources.

2.12 HOME INDUSTRIES AND HOME OCCUPATIONS

2.12.1 The zoning by-law shall contain regulations with respect to home industries and home occupations. These regulations shall indicate, among other matters, the zones in which home industries and home occupations are permitted and the types of activities which shall be considered as home industries and home occupations.

2.12.2 Generally, home occupations shall include occupations or professions which are conducted entirely within a dwelling unit, while home industries are conducted primarily within an accessory building and/or involve open portions of the parcel.

2.12.3 Neither home industries nor home occupations shall be offensive or create a nuisance such as noise, odour, traffic generation, or other means.

2.12.4 The home industry or home occupation shall be secondary to the main use of the property and not generate adverse or incompatible effects with the surrounding area.

2.12.5 Entrances serving home occupations, industry or businesses located adjacent to provincial highways require the approval of the Ministry of Transportation.

Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.

2.13 GROUP HOMES

2.13.1 Group homes are permitted in all areas where residential uses are permitted.

2.13.2 A Group Home is defined as a housekeeping unit in a residential dwelling in which up to 6 residents, excluding staff, live as a family under responsible supervision.

2.13.3 The following group homes will be permitted in all areas where residential development is permitted:

- (a) accommodation Services for the Developmentally Handicapped;
- (b) satellite Residences for Seniors; and
- (c) homes for Special Care.

2.13.4 All group homes shall be licensed or approved under provincial statute and be in compliance with the zoning by-law.

2.14 BED AND BREAKFAST

2.14.1 Bed and Breakfast establishments may be permitted in areas where residential uses are permitted subject to an amendment to the zoning by-law, and based upon the following criteria:

- (a) the establishment shall be located on an open road maintained year round by the local Roads Board or the Ministry of Transportation;
- (b) the establishment shall have sufficient site area to accommodate on-site recreation amenities, adequate on-site parking, and provide adequate buffering for any adjacent use;
- (c) the establishment shall be located in an existing residential dwelling; and
- (d) the establishment shall have a minimum of one bedroom more than the bedrooms that are committed to bed and breakfast use, and such use shall be managed and carried out by the occupant of the residential building.

2.15 WAYSIDE PITS AND QUARRIES

- 2.15.1 A wayside pit or wayside quarry means a temporary pit or quarry opened and used by a public road authority or their agent, solely for the purposes of a particular road project or contract of road construction or maintenance. Accessory aggregate processing operations such as crushing, screening, washing, and stockpiling of aggregate product are also considered to be permitted uses in a wayside pit or quarry.
- 2.15.2 Wayside pits and quarries shall be permitted throughout the planning area except for the following:
- (a) in areas zoned for seasonal recreational use;
 - (b) within 50 metres of an existing residential use; and
 - (c) where severe environmental disruption will occur.
- 2.15.3 The opening of wayside pits and quarries shall be permitted without an amendment to this Plan or the zoning by-law provided that the Lakehead Rural Planning Board is given adequate notice and an opportunity to express concern and/or guidance regarding the opening of the pit or quarry.
- 2.15.4 The Ministry of Transportation shall ensure that wayside pits and quarries used for its purposes are rehabilitated to the satisfaction of the Lakehead Rural Planning Board. Progressive rehabilitation of wayside pits and quarries shall be Encouraged.

2.16 PORTABLE ASPHALT/CONCRETE PLANTS

- 2.16.1 A portable asphalt plant means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.
- 2.16.2 A portable concrete plant means a facility with equipment designed to mix and produce concrete material, and includes stockpiling and storage of bulk materials used in the process. A portable concrete plan is not of permanent construction, but is designed to be dismantled and moved to another location as required.
- 2.16.3 Portable asphalt/concrete plants used by a public road authority or their agents shall be permitted throughout the planning area, subject to the requirements of the Ministry of the Environment and Energy, except for the following locations:
- (a) in areas zoned seasonal recreational;
 - (b) within 50 metres of an existing residential use; and
 - (c) where severe environmental disruption will occur.

- 2.16.4 Portable asphalt/concrete plants shall be permitted without an amendment to the zoning by-law provided the Lakehead Rural Planning Board is given adequate notice and an opportunity to express guidance and concern regarding the location of the plant.
- 2.16.5 Portable asphalt/concrete plants shall be removed from the site upon completion of the road project. Sites used for such plants within agricultural areas shall be rehabilitated to their former agricultural capability.

2.17 ENVIRONMENTAL PROTECTION AND NATURAL HERITAGE

- 2.17.1 No development shall be permitted which results in the degradation of the quality and integrity of an ecosystem including air, water, land, and plant and animal life. Where the quality and integrity of an ecosystem has been diminished, the Planning Board shall encourage its restoration or remediation to healthy conditions.

WETLANDS

- 2.17.2 Wetlands mean lands that are seasonally or permanently covered by water, as well as lands where the water table is close to or at the surface. The four major types of wetlands are swamps, marshes, bogs, and fens.
- 2.17.3 Development may be permitted in provincially significant wetlands and/or on adjacent lands provided it can be demonstrated by an Environmental Impact Study, to the satisfaction of the Ministry of Natural Resources, that the development does not result in the following:
- (a) loss of or detrimental impact to natural features or ecological functions;
 - (b) conflicts with existing wetland management practices.
- 2.17.4 Development and/or site alternation shall not be permitted in fish habitat, except in accordance with provincial and federal requirements.
- 2.17.5 Existing agricultural activities are permitted in provincially significant wetlands and adjacent lands.
- 2.17.6 New utilities/facilities shall be located outside provincially significant wetlands, where possible.

WILDLIFE

- 2.17.7 Wildlife habitat includes, feeding and nesting areas, and areas that provide protection, cover, and food, and seasonal yarding functions which, in combination, contribute to self-sustaining wildlife populations. Significant pathways leading to such areas may also be included.

- 2.17.8 Development is discouraged in or adjacent to significant wildlife habitat unless it has been demonstrated that there will be no negative impact upon associated natural features or their related ecological functions.
- 2.17.9 Property owners are encouraged to seek the assistance of the Ministry of Natural Resources in the management of wildlife resources.
- 2.17.10 Opportunities to maintain, enhance, and improve the quality of air, land, water, and plant and animal life, and maintain the biodiversity of indigenous natural systems, and protect natural links and corridors used for wildlife migration is encouraged.

FISHERIES

- 2.17.11 Fish habitat areas may include staging and/or spawning grounds and nursery, rearing, food, and migration areas on which fish depend on in order to carry out their life cycle.
- 2.17.12 Development and/or site alternation shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Development adjacent to fish habitat may occur where it has been demonstrated that there will be no negative impact or adverse effects.
- 2.17.13 Opportunities for fish resource management is encouraged in consultation with the Ministry of Natural Resources.
- 2.17.14 The following lakes, rivers, streams, and their tributaries are recognized as fish habitat areas:

Bentley Lake	Surprise Lake	Kaministiquia River
Chubb Lake	Thompson Lake	McIntyre Creek
Dufault Lake	Town Lake	McVicar Creek
Golding Lake	Trout Lake	Pine River
Greenpike Lake	Bentley Creek	Portage Creek
Hazelwood Lake	Current River	Strawberry Creek
Oliver Lake	Depot Creek	Surprise Creek
Onion Lake	Ferguson Creek	

In addition, it is possible that other resources could be identified.

AREAS OF NATURAL AND SCIENTIFIC INTEREST

- 2.17.15 Areas of Natural and Scientific Interest (ANSI'S) mean areas of land and water containing natural features which have been identified as having value related to natural heritage protection, scientific study, or education.

- ANSI's are either;
- Earth Science areas that contain examples of rock, fossil, and/or landform features that are the result of geological processes and landscape evolution.
 - Life Science areas that contain examples of natural landscapes, communities, plants and animals typically found in the 14 natural regions of Ontario.
- 2.17.16 Development and site alterations shall not be permitted in or adjacent to any significant wetlands or ANSI's unless it has been demonstrated that there will be no negative impacts on the particular feature or its related ecological function. A minimum 50 metre setback from an earth sciences ANSI shall be set out in the zoning by-law, and actions such as lease or purchase may be undertaken to protect an ANSI.
- 2.17.17 Development and site alteration shall not be permitted on areas of natural and scientific interest. Development shall not be permitted on lands adjacent to lands of natural and scientific unless the ecological functions of the adjacent lands have been evaluated and it has been demonstrated that there will be no negative impact on the natural features or on their ecological functions.

THREATENED OR ENDANGERED SPECIES

- 2.17.18 Development and site alternation shall not be permitted in significant habitat of species listed on the Species At Risk In Ontario List as endangered or threatened species, and shall not be permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the habitat or its ecological functions.
- 2.17.19 Adjacent lands for threatened and endangered species is deemed to be 120 metres unless there are other site specific considerations such as species habits, type of development, and/or landscape characteristics that may warrant extension or retracting of this distance.
- 2.17.20 Preliminary ecological assessment may be conducted when development and/or site alteration is proposed in order to determine if the initiative is in or adjacent to significant habitat of threatened or endangered species, and such assessment will typically be based on existing mapping and reference information, existing local knowledge, and field investigation.
- 2.17.21 Where preliminary assessment indicates the present of significant habitat of threatened or endangered species and Environmental Impact Assessment will be required in instances where the Ministry of Natural Resources indicates that the habitat may be impacted by the proposed activity.
- 2.17.22 Consultation with the Ministry of Natural Resources shall occur where such habitat is being evaluated.

2.18 MINERAL AND AGGREGATE RESOURCE AREAS

- 2.18.1 As much as possible of the mineral and aggregate resource will be protected for the long run. Mineral and/or aggregate resource operations, deposits, and areas of potential mineral resources will be protected from incompatible land uses that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety, or environmental impact.
- 2.18.2 In Gorham and Ware Townships, the potential mineral resource areas are limited to the southern portions of the Townships.
- 2.18.3 Land uses that preclude or hinder future access to, and use, of mineral or aggregate resources shall not be permitted unless it can be demonstrated that the use of the resource is not feasible and the proposed use serves a greater long-term public interest than does the resource.
- 2.18.4 Lands with active mineral or aggregate resource operations shall be zoned accordingly and non-resource operations should be restricted. Development on lands adjacent to mineral resource operations or adjacent to areas of deposits will be permitted if:
- (a) the development would not preclude or hinder the continuation of existing operations;
 - (b) the development would not preclude the development of the resource; and
 - (c) issues of public health, public safety and environmental impact are addressed.
- 2.18.5 Rehabilitation of mineral resource lands will be required after extraction and other related activities have ceased. Lands may be re-zoned from mineral resource uses following rehabilitation.
- 2.18.6 Development will be restricted through zoning in areas of past mining activity until it can be demonstrated to the satisfaction of the Ministry of Northern Development and Mines that the area does not constitute an abandoned mine hazard or until measures have been taken to address and mitigate known or suspected abandoned mine hazards that may impact the proposed development.

2.19 FORESTRY

- 2.19.1 Forest resources provide a significant economic, social, and environmental benefit in the form of:
- (a) income from forest products;
 - (b) recreation;
 - (c) education;
 - (d) soil and water conservation;
 - (e) wildlife habitat;

- (f) buffers between land uses; and
- (g) natural amenities.

2.19.2 Property owners are encouraged to seek the assistance of the Ministry of Natural Resources in the management of their forest resources.

2.19.3 The maintenance of a forest setback or continued forest cover along lakes, rivers, and stream banks is encouraged.

2.19.4 Reforestation in areas where forest resources have been depleted is encouraged.

2.20 USE LIMITATION LANDS

2.20.1 Lands subject to Use Limitation shall be zoned in the zoning by-law. An amendment to the zoning by-law is required to remove lands from the Use Limitation category provided appropriate site mitigation/rehabilitation has occurred, if necessary, and shall be to the satisfaction of the Ministry of Natural Resources and the Lakehead Rural Planning Board.

2.20.2 Development shall not be permitted in areas where conditions or location may pose a danger to public safety or public health, or result in property damage.

2.20.3 Property owners are encouraged to provide a coordinated approach to the use of land and management of water in areas subject to flooding in order to minimize social disruption in consultation with the Ministry of Natural Resources.

2.20.4 The Ministry of Natural Resources has identified those areas prone to flooding and have mapped the floodplains of the various lakes, rivers, and streams in the planning area.

2.20.5 Development within the floodplain is restricted.

2.20.6 Access/egress to any new building shall be such that vehicular and pedestrian movement is not impeded during times of flooding.

2.20.7 Areas of steep and unstable bedrock have been identified by the Ministry of Natural Resources.

2.20.8 New development adjacent to steep slopes or unstable bedrock shall be set back a minimum of 20 metres and be sited on the property to the satisfaction of the Ministry of Natural Resources. A stability analysis may be required for new development in the vicinity of high rock faces, particularly where a talus slope demonstrates that rock instability has occurred.

2.20.9 Development on or within 500 metres of land containing or affected by mine hazards or former mineral operations may be permitted only where rehabilitation

measures to address and mitigate known and/or suspected hazards are under way or have been completed, or have been otherwise included as an appropriate condition of planning approval.

2.21 WASTE DISPOSAL SITES

- 2.21.1 Development shall be prohibited on all waste disposal sites located in the planning area, including closed sites.
- 2.21.2 Development proposed within 500 metres of an existing or closed waste disposal cell shall be restricted unless it can be demonstrated that there is no evidence of leachate, methane gas migration, or other contaminants present in the soils or ground water supply. Ministry of Environment Guidelines D-4 Land Use On or Near Landfills and Dumps may also be applied in the consideration of a planning decision.

SECTION 3 - LAND USE POLICIES

3.1 GENERAL

- 3.1.1 Land use designations have been established for Gorham and Ware Townships and the Dawson Road Lots, Lots 1-20, Concessions A and B, east of the Kaministiquia River. These land use designations include related functions which do not ordinarily conflict with one another.

For each of the land use designations development control and constraint policies have been prepared. The Land Use Plan as detailed on Schedule "A" illustrates the land use designations and Schedule "B" identifies the development constraints within the planning area. Schedules "A" and "B" should be read together in conjunction with the policies of Section 3 and 4.

- 3.1.2 The intent of this section of the Plan is to promote the optimum land uses function by minimizing land use conflicts and providing an attractive development pattern consistent with the rural setting and economic development opportunities.

3.2 RURAL

- 3.2.1 It is the intent of this Plan to protect the rural character and environment of Gorham and Ware Townships and the Dawson Road Lots, Lots 1-20, Concessions A and B, east of the Kaministiquia River. The planning area is capable of supporting development that is resource and non-resource based. It is not realistic to attempt to precisely define where these uses may best occur. Rather, a general rural land use designation in which these uses can be accommodated in accordance with the specific policies of this Plan, and through implementation of the zoning amendments, would allow flexibility in determining the appropriate uses of land.

- 3.2.2 The Rural area is characterized as a low density, multi-purpose area in which a variety of land uses can be accommodated in a compatible manner.

- 3.2.3 Permitted uses in the Rural area include rural residential dwellings, local or tourist related commercial, resource related industrial, institutional, and small scale recreational uses in accordance with the specific policies of this Plan. Small scale means not needing new road or road upgrade, or not leading to additional surrounding residential or commercial development. It is also the intent of the Rural designation to permit and encourage such rural uses as forestry, aggregate resource extraction, pits and quarries, agriculture, mining and mineral exploration, resource management, and conservation uses. In addition, waste disposal sites are also permitted, subject to rezoning.

- 3.2.4 It is the intent of the Rural land use designation to:

- (a) maintain the low density rural character of the planning area;
- (b) ensure that development does not prematurely force the need for higher order levels of sewer and/or water servicing;
- (b) provide flexibility by permitting a variety of land uses;
- (c) allow development of natural resources and economic activities in a manner compatible with the rural character;
- (d) protect existing and future aggregate operations from incompatible land uses and ensure their viability; and
- (e) protect existing agricultural operations from incompatible land uses and ensure their long term viability.
- (f) protect, and where possible enhance cultural heritage resources

3.2.5 While land in the Rural designation may be developed for a variety of uses, regard shall be given to ensure that development is compatible with surrounding land uses and appropriate for the site before development approval is given. Development within the Rural area shall not conflict with existing growing of crops or livestock operations and must comply with the Minimum Distance Separation I criteria, as amended from time to time.

3.2.6 Rural residential uses shall be permitted in the Rural designation on existing lots of record and on lots created through the consent process in accordance with the consent policies of this Plan, provided that:

- (a) one single detached dwelling unit be permitted on one lot;
- (b) new rural residential uses should be a reasonable distance from industrial uses and railway lines to minimize the adverse effects of odour, dust, noise, vibration, and other contaminants;
- (c) new rural residential uses within or immediately adjacent to areas identified as Aggregate Resource Areas, will generally be discouraged until/unless it has been established that extraction of aggregate is not feasible;
- (d) new rural residential uses shall not conflict with existing agricultural operations and must comply with the Minimum Distance Separation I criteria, as amended from time to time; and
- (e) new lots for rural residential uses should be a minimum area necessary for the use permitted and a private water supply and sanitary sewage disposal system, approved by the Thunder Bay District Health Unit, is installed. No new residential lot shall be smaller than 2.0 hectares unless they can safely be serviced in accordance with the policies of this plan and Ministry of Environment's guidelines.

3.2.7 Agricultural uses including livestock and poultry uses, greenhouses, horticulture, forestry and conservation uses, agriculture related commercial and industrial uses, and farm related residential uses shall be permitted in the Rural designation. New or expansions to existing livestock operations shall comply with the Minimum Distance Separation II criteria, as amended from time to time.

- 3.2.8 Commercial and industrial uses providing personal, professional, or retail services, or relating to natural resources shall be permitted in the Rural designation provided that:
- (a) commercial and industrial uses which serve the local market primarily, or tourism or resource related markets, are encouraged. Other commercial and industrial uses should be encouraged to locate in municipal areas;
 - (b) small scale commercial and industrial uses or recreational commercial uses are located on provincial highways or on open roads maintained year round by the local Roads Board;
 - (c) buffering shall be provided where a commercial or industrial use is located adjacent to a residential or recreational use;
 - (d) there is no adverse impact on the amenity and character of the rural environment;
 - (e) adequate parking is provided;
 - (f) an amendment to the zoning by-law is obtained;
 - (g) despite clause (b) of this subsection, small scale processing of forest products, such as portable sawmill operations, are considered an industrial use and are permitted in the Rural area provided that equipment or machinery is located:
 - i) within 120 metres of a residential lot or a lot used for recreational, institutional, or commercial uses; and
 - ii) within 30 metres of any road or road allowance;
 - (h) aggregate processing operations, such as crushing, screening, and washing of aggregate products, are considered an accessory use to an aggregate extraction operation and are permitted in the Rural area provided setbacks for buildings, machinery, and equipment from lot lines is determined on a site specific basis in consultation with the Lakehead Rural Planning Board and with the Ministry of the Environment.
- 3.2.9 As much as possible aggregate resource shall be made available as close as possible to the marketplace, and accordingly, aggregate extraction operations shall be allowed in areas of high and moderate aggregate potential designated as an "Aggregate Resource Area" on Schedule B-1 provided that;
- (a) the operation is compatible with surrounding land uses;
 - (b) adequate buffering is provided;
 - (c) the Ministry of the Environment and Energy is satisfied with respect to the disposal of liquid wastes, pumping operations, and the control of air and noise pollution, among other matters;
 - (d) no excavation, building, equipment, machinery, or stockpiling of material is allowed:
 - i) within 30 metres of a lot line of an adjacent lot used for residential, recreational, institutional, or commercial purposes;

- ii) within 30 metres of an area designated Lake Residential on Schedule "A";
 - iii) within 30 metres of any road or road allowance; and
 - iv) a quarry with blasting operations is to be setback a minimum of 450 metres from a residential building; and
- (e) excavation or stockpiling of material is allowed up to the lot line when that lot line abuts the lot line of a lot used for aggregate extraction.

3.2.10 Institutional uses that provide local public services such as schools, public offices, cemeteries and fire halls are permitted in accordance with the following:

- (a) adequate entrance and exit and adequate parking are provided;
- (b) adequate buffering is provided where necessary; and
- (c) an amendment to the zoning by-law is obtained.

3.2.11 Lands used for forestry purposes include the harvesting of wood and the production of wood products, provision of proper environmental conditions for wildlife protection against floods and erosion, recreation and protection, and protection of water supplies. Forestry harvesting uses shall be allowed without an amendment to the zoning by-law. The processing of forest products is considered an industrial use and subject to the policies of 3.2.8.

3.2.12 Lands in the Rural designation may be used for tourist and/or recreational purposes in accordance with the following:

- (a) an amendment to the zoning by-law is obtained, and
- (b) development shall only take place in areas suitable for the use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions, and traffic generation.

3.2.13 Commercial scale alternative energy power generation development shall be in accordance with the following:

- (a) all Federal and Provincial regulations, requirements, and guidelines are met;
- (b) a Certificate of Approval under Section 9 of the Environmental Protection Act is obtained where necessary;
- (c) where required by the Planning Board, specific studies relating to such matters as noise, drainage, or other such matters, are submitted;
- (d) a minimum 25 metres of natural vegetation setback along all property lines and fencing along all public highways is present;
- (e) alternative energy projects may be subject to the requirements of Ontario regulation 116/01 (Electrical Regulation), and if so, will be required to undertake an assessment of all potential environmental impacts and to identify appropriate mitigation; and
- (f) wind turbines located adjacent to a Provincial Highway will be set back a minimum distance measured from the limit of the highway property line

equal to the distance of the height of the wind turbine structures plus the length of one blade.

3.3 LAKE RESIDENTIAL

- 3.3.1 The Lake Residential areas include those areas that have experienced residential development around the various inland lakes. Lakeshore Residential designations are shown on Schedule A.
- 3.3.2 The Lake Residential areas have traditionally developed as cottage and outdoor recreation areas. However, recent years have witnessed the phenomena of cottage conversions to year-round residential uses. It is therefore, more appropriate to recognize these areas for what they are, permanent year-round residential areas with opportunities for seasonal residential uses, outdoor recreational uses, and tourism.
- 3.3.3 The permitted uses in the Lake Residential area include seasonal and year-round residential uses, passive recreational uses, and open space uses such as picnic areas, boat launches, scenic lookouts, hiking and riding trails, conservation uses, and nature preservation. Commercial recreation initiatives may be considered subject to the rezoning process based upon the merits of the initiative.
- 3.3.4 It is the intent of the Lake Residential designation to:
- (a) provide areas for seasonal and year-round residential development around the various lakes in the planning area provided the trophic levels of the individual lakes can support the residential development on private services without resulting in adverse environmental degradation of a particular lake;
 - (b) ensure opportunities for public recreational activities are available to the residents of the planning area;
 - (c) ensure public access to the lakes is maintained and available to the residents of the planning area;
 - (d) encourage the use of areas with scenic and recreational potential for recreational uses in a manner that is compatible with the surrounding uses;
 - (e) promote the development of recreational uses and tourism opportunities that enhance the preservation of the natural amenities of the planning area;
 - (f) ensure that recreational uses and tourism opportunities do not create a burden or potential burden on the planning area or surrounding municipalities; and
 - (g) ensure that future development maintains the rural character and environment of the planning area.

3.3.5 Residential development in the Lake Residential Area is permitted in accordance with the following provisions:

- (a) on existing lots of record or on lots created through the consent process in accordance with the consent policies of this Plan;
- (b) no new plans of subdivisions are permitted;
- (c) each lot shall be large enough to accommodate the safe and efficient use of private water supply and sanitary sewage disposal systems approved by the Thunder Bay District Health Unit. Each lot shall be a minimum of 0.8 hectares in area and have 45 metres shoreline frontage, or, where safe servicing can be provided in accordance with the policies of this plan and MOE's guidelines may be smaller.
- (f) the development is on an open public road maintained year round by the local Roads Board or the Ministry of Transportation;
- (e) no new extensions of public roads are permitted to accommodate new residential development;
- (f) development shall take place in areas suitable for the use taking into consideration such factors as location, surrounding uses, drainage, water quality, and soil conditions;
- (g) no adverse environmental impacts are anticipated from the development with respect to the trophic level and water quality of the lake; and
- (h) new residential uses within a buffer area of 90 metres from an area identified as an Aggregate Resource Area, whether on a new lot or on a lot of record, shall require a zoning by-law amendment.

3.3.6 New lot creation in designated Lake Residential areas may be evaluated on the basis of Ontario Ministry of the Environment's lakeshore capacity modeling for total phosphorous concentration. Where determined capacity is met or exceeded, new development will not be supported and existing development will be encouraged to act to manage total phosphorous concentration to maintain or to reduce such level. Trout and Surprise Lakes in particular are thought to be at capacity with respect to total phosphorous and shall require such modeling in support of new development applications.

3.3.7 An increase in phosphorous loading can also be expected as a result of conversion of seasonal residential use to permanent residential use, and this can be expected to have an additional impact upon lake capacity.

3.3.8 Minor public and private recreational uses will be permitted by the zoning by-law.

3.3.9 Lands may be used for major public and private recreational purposes in accordance with the following provisions:

- (a) an amendment to the zoning by-law is obtained
- (b) development shall only take place in areas suitable for the use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions, and traffic generation; and

- (c) development shall take place only after consultation with the Ministry of the Environment and Energy and the Ministry of Natural Resources and it has been determined that the use will not result in overuse of the lake.

3.4 SECOND UNITS

Second units are permitted for:

- (a) the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and
- (b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit.

SECTION 4 - COMMUNITY SERVICES AND FACILITIES

4.1 GENERAL

- 4.1.1 The intent of this Plan is to maintain a level of public service that is appropriate for the rural character and environment of the planning area. It is recognized that servicing in a rural area is generally difficult and expensive to provide due to dispersed development patterns consistent with the rural character. It is not expected that there will be additional significant demands for community services or facilities above the level that presently exists.

4.2 ROADS

- 4.2.1 Safe and efficient movement of people and goods within the planning area and to and from adjacent municipalities is encouraged by this Plan. The road system should safely serve the planning area but should not be developed to a standard, or extended beyond, which would result in a burden to the residents and taxpayers of the planning area.
- 4.2.2 Roads within the planning area are considered in accordance with either of the following classifications:
 - (a) Provincial Highways - this system of roads applies to all numbered provincial highways under the jurisdiction of the Ministry of Transportation. The primary purpose of provincial highways is to move people and goods between major centres and through the planning area. Access to provincial highways is restricted to allow for this primary purpose; or
 - (b) Local Roads Board Roads - this system of roads applies to all roads under the jurisdiction of the Local Roads Boards. Each Township has a

local Roads Board that is responsible for the maintenance of all roads within their jurisdiction. The primary purpose of local roads board roads is to facilitate local traffic. Direct access to Township roads is normally permitted from any abutting lot provided that there are adequate sight lines, suitable grades, and that the access will not cause traffic hazards.

- 4.2.3 The existing road system is considered adequate to accommodate the anticipated future development over the life of this Plan. Therefore, it is the intent of this Plan to discourage development of new roads and encourage new development to locate on the existing road system.
- 4.2.4 Should the construction of a new road or extension of an existing road be warranted, the road shall be designed and constructed to a standard approved by the Local Roads Board, and the road shall be suitable for assumption into the road system by the local Roads Board.
- 4.2.5 The Local Roads Boards are not responsible for the costs associated with the design and construction of new roads or the extension of existing roads. These costs are the direct responsibility of the proponent for the new road and/or road extension.
- 4.2.6 The Local Roads Board may, by way of public vote at an annual meeting, add new roads into its system, however, it is generally the intent of this official plan that the number and length of new roads to be added to the existing roads network shall be limited.
- 4.2.7 Year-round maintenance will be provided on roads under the jurisdiction of the Local Roads Board and the Ministry of Transportation, unless it is in the public interest not to do so.

4.3 WATER SUPPLY

- 4.3.1 The major source of water supply in Gorham and Ware Townships and the Dawson Road Lots is from private individual wells. In addition, there are six private communal water systems serving six existing mobile home parks in Gorham Township.
- 4.3.2 The need for a public water service is not considered feasible over the life of this Plan. Therefore it is intended that the responsibility for water supply will be with each property owner. Each individual property owner is responsible for obtaining a Certificate from a licensed well driller attesting to the availability of a supply of potable water which meets the quality and quantity standards set out by the Province of Ontario.
- 4.3.3 A proven water supply being not less than 18 litres per hour, and meeting acceptable water quality standards shall be required for any newly created that is

to be used for residential, commercial, or institutional purposes that involves occupancy of a building.

- 4.3.4 It is intended that lot sizes remain large enough to ensure that private wells remain the primary source of water in all areas.
- 4.3.5 It is intended that the private communal water supply systems serving the mobile home parks will not be extended beyond the boundaries of the mobile home parks.
- 4.3.6 Surface and ground water resources and features will be protected and where possible enhanced.
- 4.3.7 Development near to valuable water features will be required to demonstrate that there will be no negative impact.

4.4 SEWAGE DISPOSAL

- 4.4.1 Private individual septic tanks and tile field systems are the primary means of sewage disposal. Private sewage treatment systems exist in the six mobile home parks in Gorham Township.
- 4.4.2 The need for public sanitary sewage disposal is not considered feasible over the life of this Plan. Therefore, each individual property owner is responsible for the provision of private sanitary sewage disposal approved by the Thunder Bay District Health Unit.
- 4.4.3 All newly created lots that are intended for occupancy shall be required to demonstrate the capacity to support a Class IV leaching system.
- 4.4.4 It is intended that lot sizes remain large enough and soil conditions are suitable to allow the safe and efficient operation of individual private sewage disposal systems. Private sewage disposal systems will remain the primary source of sewage disposal in all areas.
- 4.4.5 It is intended that the communal private sewage disposal systems serving the mobile home parks will not be extended beyond the boundaries of the mobile home parks.
- 4.4.6 All new individual private sewage disposal systems require the approval of the Thunder Bay District Health Unit.

4.5 NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL

- 4.5.1 All non-hazardous solid waste disposal sites in the planning area are located on Crown Lands. No additional solid waste disposal sites or expansion to the existing facilities is anticipated over the life of this Plan unless considered and justified by an amendment to this plan.
- 4.5.2 If additional solid waste disposal sites are required or an expansion to an existing facility is required, these sites should:
- (a) avoid areas of high ground water;
 - (b) maintain an adequate separation and buffer from all existing development;
 - (c) avoid pollution of the ground water and watercourses;
 - (d) require an amendment to the zoning by-law; and
 - (e) be approved by the Ministry of the Environment and Energy.
- 4.5.3 Liquid waste disposal sites may be permitted subject to an amendment to this Plan and provided the applicant has demonstrated to the satisfaction of the Ministry of the Environment and Energy that the facility may be established without adverse impacts on surrounding land uses and the natural environment.

4.6 RECREATION AND OPEN SPACE

- 4.6.1 The existing recreation and open space facilities that are available to the residents of the planning area are considered suitable. However, due to the varied scenic qualities of the planning area, opportunities are available to provide for additional recreational and open space facilities.
- 4.6.2 It is the intent to this Plan to encourage the provision of additional public and private recreational and open space facilities at appropriate locales for the use by local residents, district residents, and tourists.
- 4.6.3 It is the intent of this Plan that new public and private recreational opportunities shall not provide an undue financial burden on the planning area or conflict with existing land uses.
- 4.6.4 Any proposals for snowmobiles or for trails crossing a Provincial Highway will require the prior approval of the Ministry of Transportation. Trails running along the right of way of a provincial highway will not be permitted.

4.7 COMMUNITY FACILITIES AND SERVICES

- 4.7.1 The existing services provided by the volunteer fire departments, the Ontario Provincial Police, and other such agencies are considered adequate to meet the needs of the residents of the planning area.
- 4.7.2 The existing public and separate school facilities within planning area fulfill the educational needs of the residents for the foreseeable future.
- 4.7.3 It is the policy of this Plan to encourage the joint use of recreational facilities between the community at large and the school boards where appropriate.

4.8 TRANSCANADA PIPELINES

- 4.8.1 TransCanada PipeLines is a major public utility that crosses through the Townships of Gorham and Ware and is regulated by the National Energy Board Act.
- 4.8.2 All permanent buildings, structures, and excavations shall be set back 15 metres from the limits of the TransCanada PipeLine right-of-way. Consultation with TransCanada Pipeline is encouraged to occur prior to construction. Where new severance is proposed within 500 metres of a gas transmission facility, circulation to the jurisdiction operating such facility shall occur, and the input provided shall be considered in the decision making process.
- 4.8.3 TransCanada PipeLine facilities are permitted in all land use designations and zones.
- 4.8.4 It is not the intent of this Plan to preclude access to or use of Provincially Significant Wetlands for the purposes of operating, maintaining, upgrading, and/or expanding the existing and future facilities of TransCanada PipeLine Limited provided that all the requirements of the National Energy Board Act are adhered to.

4.9 CENTRA GAS ONTARIO INC.

- 4.9.1 Centra Gas Ontario Inc. is a major utility that operates a transmission line through Ware Township and distribution lines along road allowances throughout the planning area. Centra Gas Ontario Inc. is regulated by the Ontario Energy Board Act.
- 4.9.2 Centra Gas Ontario Inc. facilities are permitted in all land use designations and zones.
- 4.9.3 The location of all permanent buildings, structures, and excavations on lands adjacent to transmission and distribution facilities shall be determined in consultation with Centra Gas Ontario Inc.

SECTION 5 - IMPLEMENTATION AND ADMINISTRATION

5.1 THE PLANNING BOARD'S ROLE IN IMPLEMENTATION

- 5.1.1 This Official Plan shall be implemented by means of the powers conferred to the Lakehead Rural Planning Board by The Planning Act and other statutes which may be applicable.
- 5.1.2 This Plan forms a policy foundation that has allowed the Ministry of Municipal Affairs and Housing to delegate consents and to replace the Minister's Zoning Order with a Planning Board zoning by-law. The Ministry may also exempt the Planning Board from the need to seek Ministry approval for amendments to this Plan, and may delegate severance and/or subdivision approval authority to the Planning Board.

5.2 PUBLIC SECTOR AND PRIVATE SECTOR

- 5.2.1 The activities and undertakings of the Provincial and Federal Governments, and the private sector shall serve to implement the policies and objectives of this Plan. It is also intended that the construction of public works within the planning area shall conform to the policies of this Plan.

5.3 NON-CONFORMING USES

- 5.3.1 Where a legally existing use of land does not comply with the land use designations and policies of this Plan, it may be zoned in the zoning by-law in accordance with the existing use after due consideration, provided that:
- (a) the zoning will not permit any change of use or performance standard that may aggravate or cause conflicts with adjacent complying uses;
 - (b) the use of land will not constitute a danger or nuisance to surrounding uses and persons by virtue of a hazardous nature, poor property conditions, traffic generation, or similar characteristics;
 - (c) there is no pollution of air or water to the extent of interfering with the ordinary enjoyment of the property and surrounding uses;
 - (d) the use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan; and
 - (e) where the existing use is discontinued for more than one year, any rezoning may only take place in accordance with the policies of this Plan.
- 5.3.2 Non-conforming uses shall cease to exist in the long term.
- 5.3.3 Extensions or enlargements of the land, building, or structure of a legal non-conforming use may be permitted by a minor variance to the zoning by-law provided that:

- (a) the proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
 - (b) the extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use.
- 5.3.4 The repair or replacement of a legal non-conforming use, with the exception of a mobile home in a mobile home park, may be permitted provided that:
- (a) the repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
 - (b) the repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

5.4 PUBLIC PARTICIPATION

- 5.4.1 The Planning Board intends that the public be involved in the formulation and implementation of planning policies. To this end, the Planning Board shall notify and seek the views and participation of the public prior to making decisions regarding planning amendment applications pursuant to the provisions of the Planning Act.
- 5.4.2 A minimum of one public meeting shall be held and depending on the nature or complexity of the proposal, open houses, public displays, workshops or other appropriate forums may also be added.
- 5.4.3 A minimum of 20 days notice of the public meeting shall be given for an Official Plan amendment and/or for a zoning by-law amendment. Notice of the public meeting shall be given by personal service or pre-paid, first class mail to:
- (a) every owner of land and persons assessed within an area of 120 metres to which the proposed amendment would apply; and
 - (b) every person and agency that has given the Planning Board a written request for such Notice in respect of the proposed amendment, provided this written request shows the person's or agency's address.
- 5.4.4 Unless a person or public body advises that they do not wish to receive notice, all relevant person or public bodies prescribed to be circulated through regulation of The Planning Act will receive notice of the public meeting.
- 5.4.5 Where a proposed amendment is considered to be applicable throughout the planning area, notice of the public meeting shall be placed in a local newspaper, that is of the opinion of the Planning Board's Secretary-Treasurer, to have sufficient circulation in the area the proposed amendment would apply.
- 5.4.6 The notice of public meeting shall contain the following information, among other matters:

- (a) date, time, and location of the public meeting;
- (b) a map illustrating the location of the subject lands, if applicable;
- (c) an explanation and description of the proposed amendment or matters which may be addressed in the proposed amendment;
- (d) an indication that any person may attend the public meeting and/or make written or verbal representation in support of, or in opposition to, the proposed amendment; and
- (e) an indication that additional information relating to the proposed amendment is available for inspection during regular office hours at the Planning Board's offices.

5.4.7 The Planning Board may forego public notification and public meetings in connection with a technical official plan or zoning by-law amendment if such amendment will not affect the provisions and intent of the Official Plan, the zoning by-law, or amendments thereto, and may include the following matters:

- (a) altering the number and arrangement of any provision;
- (b) correcting punctuation or altering language to obtain a uniform mode of expression;
- (c) correcting clerical, grammatical, dimensions, or typographical error;
- (d) effecting changes in format; and
- (e) consolidating previous amendments into the parent document.

5.5 OFFICIAL PLAN - AMENDMENTS AND REVIEW

5.5.1 No developments or activities shall occur which contravene the intent and policies of this Plan.

5.5.2 Developments or activities deemed beneficial to the planning area, but not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.

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

5.5.4 The Official Plan shall be subject to a formal review at least once every 5 years.

5.5.5 In general, applications for an Official Plan amendment shall proceed as follows:

- (a) a complete Official Plan Amendment application shall be submitted by the applicant;
- (b) a background report may be prepared by the applicant and provided to the Planning Board, along with a copy of the complete application for their review;

- (c) advertise the scheduling of a public meeting;
- (d) a public meeting is held;
- (e) additional public information meetings may also be required as determined by the Planning Board; and
- (g) an amendment is drafted and enacted by the Planning Board; is adopted, and is submitted to the Province for review and approval.

5.6 ZONING BY-LAW

- 5.6.1 After the Official Plan is approved, the zoning by-law shall be amended to conform to the Official Plan. The zoning by-law divides the lands within the planning area into a number of zones, each of which will have regulations to control the use of the lands and use, character, and location of buildings and structures built upon the land.
- 5.6.2 The zoning by-law is one of the main methods of implementing the Official Plan policies.
- 5.6.3 The zoning by-law shall ensure that all lands within the planning area are zoned for purposes that are compatible with the Official Plan.
- 5.6.4 All amendments to the zoning by-law shall be in conformity with this Official Plan.

5.7 ZONING BY-LAW - AMENDMENTS AND REVIEW

- 5.7.1 In general, applications for an amendment to the zoning by-law shall proceed as follows:
 - (a) a complete zoning by-law amendment application shall be submitted by the applicant;
 - (b) a background report may be prepared by the applicant and will be provided to the Planning Board along with a copy of the complete application for their review;
 - (c) advertise a notice of a public meeting;
 - (d) a public meeting is held;
 - (e) the Planning Board will review the application;
 - (f) the applicant will be advised of the Planning Board's decision; and
 - (g) an amending by-law will be prepared and enacted by the Planning Board, and given legal notification of passing as required by the Planning Act.

5.8 COMPLETE APPLICATION

- 5.8.1 Information and material, which must be submitted as part of an Official Plan Amendment application, Zoning By-law Amendment application, Consent application, or Minor Variance application, in order for the application to be considered complete, is prescribed by regulations to The Planning Act. All of the information, material, and or studies described in regulation, and including the required fee must be complete and must be submitted for an application to be considered to be complete.
- 5.8.2 The Planning Board will endeavour to undertake an initial review of an application to determine if the application is complete. Once the application is complete, the Planning Board will issue written confirmation of a complete application. If it is not complete the Planning Board will return it to the applicant with a written list of the matters that are required to be added in order to render the application as complete. The Planning Board will begin a review of the application once it has been determined that the application is complete.

5.9 STREAMLINING REVIEWS OF OFFICIAL PLAN AMENDMENTS, ZONING BY-LAW AMENDMENTS, AND CONSENT APPLICATIONS

- 5.9.1 In an effort to streamline the review of planning amendment and development applications, the applicant should consult with at least the following:
- (a) relevant Official Plan policies and zoning by-law regulations;
 - (b) the Lakehead Rural Planning Board;
 - (c) the Thunder Bay District Health Unit;
 - (d) the Ministry of Transportation, if applicable;
 - (e) the Ministry of Natural Resources if the lands are near any sensitive areas, natural resource areas, or protection areas;
 - (f) the Ministry of Northern Development and Mines if the lands are within 1 kilometre of areas of past mining activity or within an areas designated as a mineral resource area;
 - (g) School Boards (with an estimate of the number of students and bussing equipment, if appropriate);
 - (h) Hydro One; and
 - (i) the Ministry of the Environment and Energy.

Such consultation shall be channelled through the Ministry of Municipal Affairs and Housing and their one window responsibility.

Also, with the intention of streamlining the review process, the Planning Board, when it is the approval authority, is responsible for the review of any land use proposal or application, in terms of the Provincial interest

- a) as defined by the Planning Act and the Provincial Policy Statement; and
- b) within the mandates of the following Ministries:
 - the Ministry of Natural Resources,
 - the Ministry of the Environment and Energy,
 - the Ministry of Citizenship, Culture, and Recreation,
 - the Ontario Ministry of Agriculture, Food, and Rural Affairs,
 - the Ministry of Transportation,
 - the Ministry of Northern Development and Mines, and other Ministries as determined by the Province.

Wherever a policy requires that an evaluation, demonstration, or other action should be “to the satisfaction of” one or more of the above noted Provincial Ministries, the policy should generally be interpreted to mean “to the satisfaction of the Provincial policies, standards, or guidelines as set out by that Ministry.

The approval authority may undertake, or require of the proponent or applicant, studies to determine if the land use proposal is satisfactory. Following training and the transfer of data, consultation will generally not be available with the above noted Provincial Ministries, except in the instance of Official Plan and Official Plan Amendments

- 5.9.2 The Lakehead Rural Planning Board may undertake an initial review of an application to determine if the application is complete.
- 5.9.3 With evidence of the pre-circulation process, described above, the Planning Board will endeavour to respond to amendment and development applications within 30 days, depending on receipt of comments from other agencies.

5.10 FEES AND COMPLETE APPLICATIONS

- 5.10.1 Pursuant to Section 69 of The Planning Act, Planning Board may prescribe tariff of fees for the processing of applications made in respect of planning matters.
- 5.10.2 The above by-laws shall prescribe the fees to be charged for processing applications for an amendment to the Official Plan, an amendment to the zoning by-law, minor variance applications, and applications for a consent. The by-laws shall also indicate the authority to which the fee is payable.

5.11 TEMPORARY USE BY-LAWS

- 5.11.1 Pursuant to Section 39 of the Planning Act, the Lakehead Rural Planning Board may approve the temporary use of land, buildings, or structures.
- 5.11.2 Temporary Use By-laws shall be for uses which will not preclude the future development of any lands for their most appropriate use, as defined by the Official Plan.

- 5.11.3 The Planning Board shall consult with property owners and any other agencies or individuals who might have knowledge of when conditions might suit the development of the property, in accordance with the Official Plan and zoning by-law, prior to approval of a Temporary Use By-law.
- 5.11.3 Only uses which will not create land use conflicts or disrupt the use and development of neighbouring properties shall be authorized by Temporary Use By-laws.
- 5.11.4 Notwithstanding the policies of this Plan, temporary uses that are not otherwise permitted by the Official Plan and the Minister's zoning by-law as permanent uses may be permitted by Temporary Use By-laws, subject to the above.

5.12 AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION

- 5.12.1 From time to time the names of various government ministries and agencies may change. In addition, responsibilities may shift from ministry to ministry. The names of the various ministries responsible for the programs, regulations, and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change in name or responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or their successors, as conditions dictate.
- 5.12.2 From time to time Provincial and Federal statutes are amended and section numbers are changed. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted so as to refer to legislation as amended from time to time.

5.13 LAND USE BOUNDARIES

- 5.13.1 It is intended that the boundaries of the land use designations, shown on the attached Schedule, be considered as approximate and absolute only where bounded by public roads, publicly maintained roads, rivers, streams, or other similar geographical barriers. Therefore, amendments to the Plan will not be required in order to make minor adjustments to the approximate land use boundaries, provided that the general intent of the policies is preserved. Such minor deviations will not be reflected on the Schedules.