

Municipality of Shuniah

Official Plan

2019

Adopted by By-law No.

Final Approval _____

DRAFT 2019

APPROVAL PAGE

**OFFICIAL PLAN OF THE
MUNICIPALITY OF SHUNIAH**

The Official plan for the Municipality of Shuniah was adopted by the Council of the Corporation of the Municipality of Shuniah by By-law No. _____ in accordance with Section 17 of The Planning Act, R.S.O. 1990 on _____ th day of _____ 2019.

Reeve

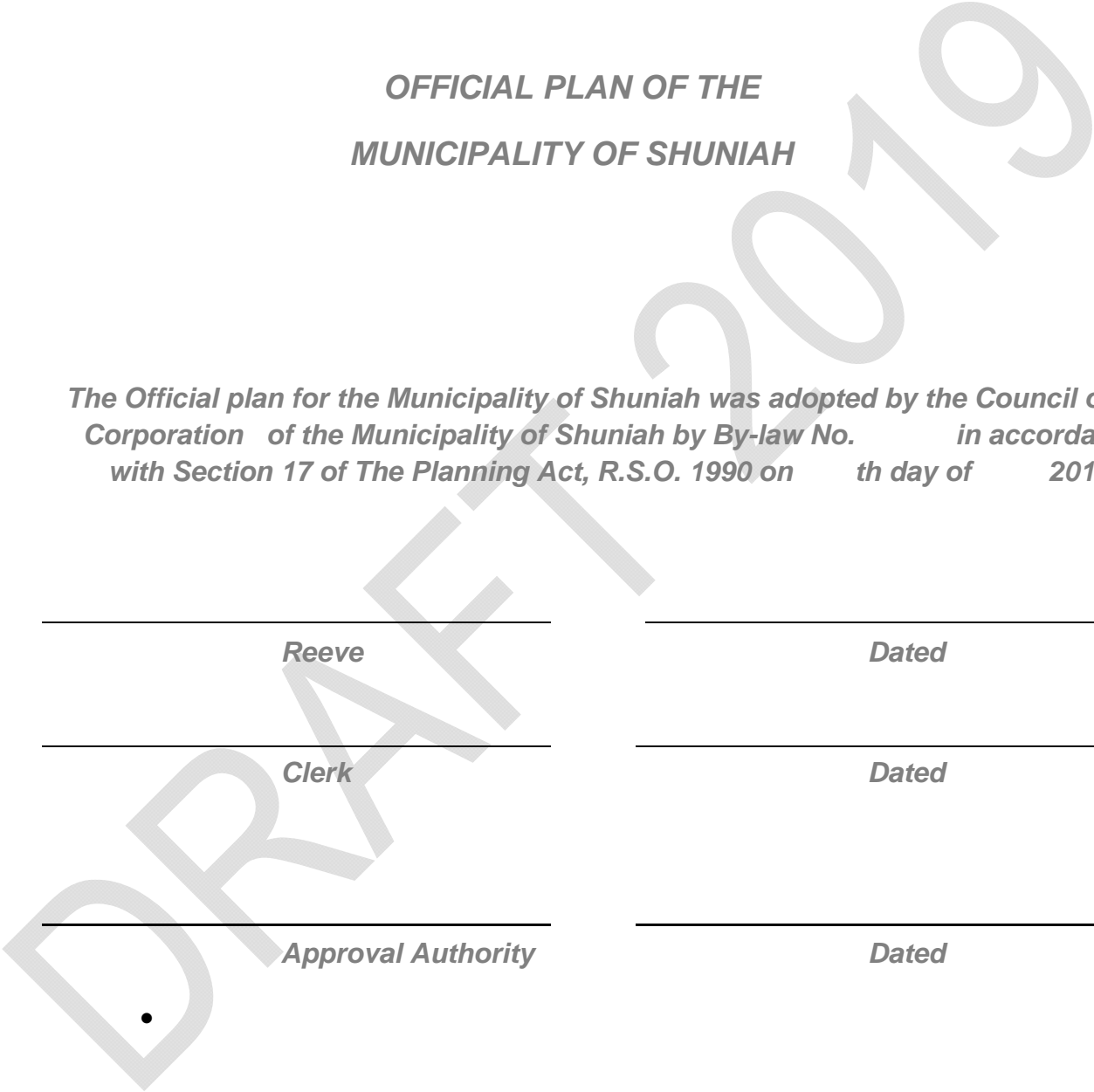
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Approval Authority

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1 INTRODUCTION

- An official plan is a document prepared and adopted by a Municipality and approved by Ontario containing text, tables, maps, and/or schedules detailing the goals, objectives and policies of the Municipality, established primarily for the purpose of assessing, managing and directing physical change and its effects on the social, economic and natural environment of the Municipality for a twenty-year time period, with five- or ten-year review intervals.
- The following text and Schedules A1, A2, B1, and B2 constitute the Official plan for the Municipality of Shuniah, as updated in 2018, and apply to all lands that are within the boundaries of the Municipality of Shuniah (“Shuniah” or the “Municipality”).

1.1 Municipal Vision and Mission Statements

- Vision Statement: Shuniah is intended to be a modern, vibrant and connected community with a strong sense of identity, located on the picturesque shores of Lake Superior; working together to build a safe, clean, friendly, and prosperous future.
- Mission Statement: Shuniah is committed to providing the highest quality of life by building a healthy rural community through the delivery of essential services provided by responsible leadership, planning, and effective management of municipal resources.

1.2 Development Challenge

- Shuniah’s development history included rural lands, and a mix of recreational and residential land use along the shoreline of Lake Superior, Bass Lake and Loon Lake. Today, development is generally comprised of rural residential lots along Lakeshore Drive, along Highways 11/17, 527 and 587, and along a variety of small municipal roads; and mixed residential and recreational residential use along the shoreline of Lake Superior and the shores of Bass and Loon Lakes. A small residential community also exists at Sparks Lake.
- Intermixed with this residential growth in the Lakeshore Drive area are community institutional and local commercial lands. Industrial lands occur along Highway 527

near the intersection of that highway with Highway 11/17. Scattered highway commercial uses exist along Highway 11/17 and Lakeshore Drive.

- Aggregate extraction, amethyst mining, forestry, public recreation, commercial recreation, and alternative energy projects occur or are expected to occur within the Rural area.
- The recent driving force governing development in Shuniah has been retirement residential interest, largely focussed on the significant shoreline resources of Lake Superior, and Loon Lake. A more general interest in a rural residential lifestyle has also supported intensification along Lakeshore Drive. However, development has not reached a threshold warranting establishment of a settlement area per the Provincial Policy Statement. As such there is no minimum target for intensification and redevelopment. Population projection and growth scenarios contemplated in Appendix A discuss this in greater detail.
- Shoreline development has included limited residential lot creation and demolition/rebuilding of existing dwellings. Council expects this to continue, including along Lakeshore Drive, but only where lot sizes can be safely serviced with individual on-site water and septic. Development density has not reached a threshold to warrant municipal or communal services; nor has there been evidence of failure of existing private, individual systems to warrant such (see the Master Water and Wastewater Servicing Plan, 2017 under a separate cover).
- In the larger context, Shuniah expects to continue to provide residential accommodation and some industrial, institutional, and commercial land use secondary to the City of Thunder Bay, (the Northwestern Ontario economic growth hub, per the Growth Plan for Northern Ontario).
- Council supports the development of larger-format commercial and mixed-use compatible uses at major intersections or *nodes*.
- It is Council's desire to integrate the historic fragmented growth pattern within the Municipality through compatible, rural-level infill and intensification – to concentrate development to attract local commercial and institutional activity that will provide local services and activities, primarily at *hubs*. Concentration of development will also allow the Municipality to plan for and implement a longer-term infrastructure and servicing strategy if needed. Neither the current population density nor growth projections over the life of this plan trigger the need for establishment of employment areas. This may be re-evaluated along with

consideration of a settlement area in the next official plan review.

- Unique to Shuniah is the existence of Cottage Associations. The lands that are involved in these associations support existing development which is based upon small sites, where each association is one large parcel of ownership with numerous individual dwellings, each assuming an area including the dwelling and associated mutually agreed private and exclusive associated land, known as a “site”. While this type of development and continued enjoyment of the lakeshore may continue to exist, high-density development is not expected to expand. In fact, density may be reduced as Council encourages neighbours to purchase adjacent sites in order to expand the size of their own for the purpose of safe servicing. Council supports the Associations in becoming freehold (individually-owned parcels) or freehold-common elements condominium in order to improve opportunities for safe servicing; and for other good planning outcomes including reduction of personal liability of each co-owner.
- Associations and other shoreline properties in Shuniah have historically been subject to occupancy limitations through a seasonal use designation and implementing zoning by-laws. Policies attempting to control seasonal or recreational use or how owners occupy their residence have been removed from this official plan as such policies were impossible to implement and enforce, resulting in progressively more intensive development characterized by inadequate separation distance between water and wastewater or sewage.
- As a result of this and former policies allowing further development in these areas; the Municipality completed a Wastewater and Water Servicing Plan (MWWSP) in 2017 which is being implemented through the policies of this plan.
- For more, see Appendix 1 Background.

1.3 Purpose and Effect

- This official plan is intended to be a policy document under the provisions of the Planning Act and to represent a framework for community decision making respecting physical change in the Municipality of Shuniah for twenty years following the date of final approval.
- In accordance with Section 24 of the Planning Act, no public works shall be undertaken by the Municipality; no by-law shall be enacted; and no planning approval shall be given unless in accordance with this official plan.

- Notwithstanding, Council may:
 - a) investigate and consider public works or other actions that are not in conformity with this plan, including applications for review and/or approvals incidental and necessary for such works or actions, but not undertake the actual works until brought into conformity with this plan; and
 - b) adopt an amendment to this plan and thereafter enact a zoning amendment or other by-law that is not in conformity with this plan but that will be in conformity when the relevant amendment to this plan is finished and comes into force and effect.

1.4 Responsibilities

- Municipal planning in Ontario is conducted through the enabling legislation of the Planning Act, and under an umbrella of Provincial areas of interest and land use policy, and any related provincial plans. The official plan and all decisions made by or on behalf of Council must be consistent with the Northern Growth Plan and with Ontario's 2014 Provincial Policy Statement.
- The Municipality of Shuniah shall have responsibility for this plan, and will:
 - prepare, manage, update, and keep current the official plan;
 - incorporate relevant aspects of the Growth Plan for Northern Ontario and/or Ontario's Provincial Policy Statement as such document might be amended from time to time;
 - incorporate policies from other relevant municipal documents in decision-making such as, but not limited to, Recreation Master Plan, Tourism Strategy, Asset Management Plan;
 - adhere to and implement the guidance and policies contained herein;
 - review and update this official plan in accordance with the requirements of Section 26 of the Planning Act for regular and systematic review, including the conduct of public meetings;
 - receive and review and/or to initiate amendments to this official plan from time to time as found to be necessary, and to process such amendments;
 - consult with the Ministry of Municipal Affairs and Housing and other appropriate agencies and offices in the preparation of amendments to this official plan;
 - be the final authority for day to day interpretation of this official plan;
 - reference and make use of this official plan in the evaluation of planning matters within the Municipality, and the processing of planning approvals; and,
 - carry out the various commitments that are described in this official plan.
 - Private interests are generally made to adhere to this official plan through the

implementation and application of the Municipality's comprehensive zoning by-law and through the exercise of a variety of planning approvals that rely upon and implement compliance with this plan.

- Senior levels of government are acknowledged to be legally exempt from the requirements of this official plan. In particular the Ministry of Natural Resources and Forestry administers Crown Land (lands for which patent has not been issued), and the application of the Aggregate Resources Act for all Crown Land and private land covered by the Act. Activity on Crown Land is therefore a part of the day to day activity within the Municipality and the patent of new Crown Land may impact upon the Municipality's development concepts. It is Council's desire therefore that the administration of Crown land; the patent of Crown Land; and the general exercise of Ontario's normal and ongoing authorities of all nature account for aspects of this plan that might be impacted.
- The Municipality respects that the municipality boundaries lie within in the Robinson-Superior Treaty area, as such, sought guidance from the Fort William First Nation (the closest member First Nation) and Red Rock First Nation prior to creating this plan.
- Council also sought guidance from the Metis Nation of Ontario Lakehead/Nipigon/Michipicoten Traditional Territory Consultation Committee.

1.5 Planning Objectives

- Council wishes to establish and to achieve the following planning objectives as set out in this Section and which are intended to guide decision-making with respect to physical change within the Municipality and including the administration, operation, and extension of public infrastructure and public services:
- to promote efficient development and land use patterns which sustain efficient operation and financial well-being of the Municipality and of Ontario over the long term consistent with Ontario's Provincial Policy Statement (PPS) and conforming to the Growth Plan for Northern Ontario;
- to promote a land use pattern, density of development, and mix of land uses that minimizes impacts upon municipal infrastructure and public services, and the length and number of vehicle trips taken by the residents of the Municipality;
- to help prevent climate change and other economic and health impacts by optimizing the use of existing infrastructure and public services; evaluating the

need for future infrastructure; promoting orderly, economic, efficient, and effective creation and delivery of common infrastructure, public services, and public service facilities; and by promoting cost effective development standards to minimize land consumption and servicing costs;

- to advance the process of concentrating development within the Municipality in order to maximize efficient use of resources; and to achieve local development densities at levels that can support the expansion of local commercial, institutional activity and other employment opportunities;
- to ensure the protection and continued viability of natural heritage resources within the municipality and where possible to promote their enhancement, particularly the aesthetic and environmental quality of the shoreline of Lake Superior and various inland lakes;
- to develop a basic economic foundation in employment and assessment, including activities related to: larger-format commercial development, aggregate extraction, transportation, agriculture, forestry, recreation and tourism, and other rural based industrial activity;
- to avoid incompatible development and land use patterns which may cause environmental or public health and safety impacts. This includes ensuring new development can be supported by private, individual servicing; mitigating contamination risk in existing high-density areas; separation of noise, vibration and other emission sources and sensitive land uses such as residential, institutional or commercial uses; and abatement mitigation considerations where development is contemplated nearby to sources of impact;
- to have regard for and improve accessibility for the elderly and persons with disabilities, as provided for under the Ontarians with Disabilities Act and corresponding amendments to the Planning Act and to eliminate or prevent land use patterns which restrict full participation in the community by these persons;
- to encourage the preservation and possible re-use of the CNR railway corridor along the shoreline of Lake Superior and to maintain that corridor's integrity and continuous linear characteristics;
- to encourage a sense of place through well-designed built form and cultural planning which conserve the features that help define character, including built heritage resources and cultural heritage landscapes. This includes engagement with Indigenous communities;

- to promote resource-based recreational and value-added tourism development that is compatible with the natural environment and economically feasible; and,
- to align land-use decision making with the Asset Management Plan and other municipal plans wherever possible.

1.6 Use of Maps or Schedules

- The following maps or schedules are used in and make up a part of this official plan:
- Schedule A1 and A2 -- Land Use Schedules -- illustrates and establishes various *land use designations*.
- Schedule B1 and B2 -- Constraints Map -- lists and illustrates various constraints to development.

1.7 Interpretation

- The Municipality shall be responsible for interpretation of the text, figures, maps, and schedules that make up this official plan.
- Text, policies, figures, and schedules contained in this document, and in any amendments to this document, shall be considered to represent general concepts and/or relationships rather than strict or absolute conditions, situations, or measurements. Unless specifically necessary to the text and identifies as such in the text, interpretation shall be flexible and interpretive.
- *Italicized* terms are defined in Appendix 2.
- Land use designations shall be considered as representing predominant land uses and shall not preclude small pockets of other legally non-conforming land uses that are consistent with the pertinent policies of this plan. Land uses shall not be considered to be all inclusive but rather shall represent general intent and concept.
- Boundary lines, unless coinciding with a specific major facility shall be construed as representing relationships land uses and not exact geographic locations. Where a boundary line is located along a major road that offers the particular land use a resource (i.e. access; exposure to traffic) such boundary line may be considered to exist one lot depth away from the road rather than on the road itself.
- Numbers and quantities shall generally be approximated rather than absolute,

except where the context requires otherwise. Notwithstanding, the total number of severances that are permitted in policies dealing with land creations by severance; numbers relating to the findings arising from lake capacity studies; and the volume of water required in order to satisfy the requirement that an adequate water supply be available for new lot creations shall all be considered to be specific and fixed numbers.

- Indications of action, servicing, or the construction of infrastructure by the Municipality shall not be construed as a commitment to any specific time frame, but rather subject to the determinations of Council in normal budget deliberations.
- **This plan should be read as a whole** to understand its comprehensive and integrated intent as a policy framework for decision making and priority setting.
- The development of land is considered to be permanent; and as such, any proposal must be carefully considered to avoid undue impacts. Development proposals that require a consent, zoning amendment, or official plan amendment must be accompanied by *planning justification* which, through appropriate studies and mitigation measures, demonstrates good planning conforming to the policies of this plan, consistent with the Provincial Policy Statement and conforming to the Growth Plan for Northern Ontario.

2 LAND USE DESIGNATIONS

- This official plan employs land use designations as a means of describing an orderly, economical and functional land use pattern within the Municipality and as a means of implementing the planning objectives (see Section 1) and policies relating to various land use activities. Land use designations are also employed as a means of limiting land use conflict, adverse effects, and negative impacts arising from land use activities and changes in land use activities. The General Land Use Policies in Section XXXXX shall also be considered in conjunction with the specific land use designation policies; and be included in the *planning justification* for every new Planning Act application. See Section XXXX Complete Application.
- The following land use designations are used in this official plan and are intended to represent dominant land use activity in the area to which they are applied. Other related and/or accessory land use activities may also be permitted provided they are *compatible* and maintain and enhance the character and function of the surrounding residential use and natural environment:

- Residential Lands which include
 - Loon Lake Residential Lands
 - Bass Lake Residential Lands
 - Cottage Association Residential Lands
- Rural Lands
- Environmental Protection Lands
- Waste Management Lands
- These *land use designations* apply to lands identified on Schedule A1 and A2; being the land use schedules for the Shuniah official plan.
- A variety of land-uses or activities are considered to be *compatible* and consistent with the intent of all *land use designations*; and are permitted in all designations subject to zoning and other strategies. These include:
 - Roads, pathways, lanes
 - Parks, open spaces, land use conservation
 - Essential operation of municipal government relating to the delivery of public services
 - Gas, telephone, electrical delivery systems and directly related infrastructure
 - Slope stability and remedial flood protection
 - Fish, wildlife, waterfowl habitat protection
 - Landscaping, fencing, and natural vegetation
 - Community gardens and/or market gardens

2.1 Land Use Compatibility

- The Municipality wishes to minimize the possibility of conflict between land uses through separation of sensitive land uses from sources of potential impact and mitigation of potential impacts.
- In accordance with MECP D-series Guidelines, where a development initiative has the potential to be incompatible with or negatively impact upon other land uses,

appropriate studies relating to the potential impacts such as noise, vibration, odours and other emissions or contaminants (see Section XXXX) shall be part of the planning justification and complete application (Section xxxxx). Results of any studies shall be implemented through the zoning by-law, site plan control or other implementation tools such as, but not limited to Holding zones and registered agreements on title.

- The above policy does not apply to minor expansions or reconstruction of permitted uses, buildings or structures.
- In all land use designations, proposed uses must be compatible and are intended to be serviced by private, on-site water and septic in accordance with the Ministry of Environment, Conservation and Parks (MECP) or the Thunder Bay District Health Unit (TBDHU); unless otherwise justified by a servicing options statement (see Section XXXX Water Resources and Sewage). Depending on the site characteristics, the *planning justification* may have to include supporting studies triggered by the other policies of this plan.

2.2 Residential Land Use Designation

2.2.1 Intent of the Designation

- The Residential *land use designation* is intended to recognize predominantly residential lands that have developed or that will be developed over the length of this official plan. Such residential lands have historically taken the form of single detached residential properties with individual, private water and sewage services. In several lakeshore areas, development density and inadequate of separation distance between sewage and drinking water has resulted in risk to health and safety (see MWWSP). The intent of the high-density overlay policies is to reduce risk; as well as to increase property values while reducing personal liability.

2.2.2 Goal

- To continue residential development and enjoyment of rural and waterfront living with safe private, individual septic and water servicing; while limiting creation of surplus lots.
- The goal the high-density overlay area in this designation is to reduce the risk of cross-contamination of drinking water with waste/wastewater per the MWWSP as well as other risks related to dense development. The overlay is shown as an overlay in Schedule B – Constraints Map.

- Historically, residential development focussed on *resource-based recreational* and rural resources within the Municipality. Retirement residential activity, in particular has been an important element driving residential activity, based upon the abundant shoreline of Lake Superior and inland lakes -- a resource that is not available in the nearby City of Thunder Bay. This is expected to continue. Expanding agricultural uses, aggregate activity, alternative energy initiatives, tourism, and the Municipality's efforts to expand commercial- and resource-based economic development are expected support future residential activity.
- The principal Residential Lands are shown on Schedule A – Land Use Map and are described as the developed lands along the shorelines of Bass Lake and Loon Lake and in the vicinity of Sparks Lake; the developed lands along Lakeshore Drive (also composed of Cottage Associations); the developed and vacant lands along the shoreline of Lake Superior; Mackenzie Heights Road; and existing mobile home parks.

2.2.3 Permitted Uses

- Residential uses including *home occupations* (see Section XXXX).
- Outside of the Loon Lake, Bass Lake and Cottage Association Residential Lands, institutional and local commercial land use activity is also expected to occur, servicing the day to day needs of the residential dwellings. Examples of these include places of worship, community gathering areas, day care centres, group homes, libraries, schools, assisted living and retirement facilities, public recreation facilities, convenience stores, post offices, restaurants, rental office space and similar scale uses. Kennels may be considered on larger properties, subject to compatibility with the character of the neighbourhood, mitigation of impacts and re-zoning.
- Compatible tourist commercial, including hotels and motels (see Section XXXXX) including recreational vehicle campgrounds (see Section XXXX); existing mobile homes (see Section XXXX and below); and compatible agricultural uses (see Section xxxxx) shall be permitted.

2.2.4 Implementation

- The Residential Lands designation shall be implemented by zoning. Legally existing land use shall be recognized in such zones; and all proposed uses shall be *compatible* and typically involve rezoning (see Section XXXXX). All proposed uses must be serviced by private, on-site servicing in accordance with the MECP or

Thunder Bay District Health Unit (TBDHU). Depending on the site characteristics, supporting studies may be triggered by the General Policies of this plan.

2.2.5 Existing Mobile Homes in the Residential Lands Designation

- Mobile home parks existing prior to October 5th, 1978 shall be recognized in the zoning by-law.

2.3 High-Density Area

- The MWWSP highlighted areas of high-density development that are at risk for cross contamination of private well water with waste/wastewater (sewage). These areas are identified in the MWWSP mapping; and are also shown on Schedule B – Constraints Map as an overlay.
- The following shall apply to high-density areas:
- To reduce risk of contamination, all property owners within high-density areas must be compliant with Ontario Building Code sewage treatment standards in accordance with MECP or TBDHU; and well water monitoring results (where applicable) must meet Provincial drinking water standards to be eligible for a building permit for development that is beyond minor repairs. See Section xxxxx for more detail.
- Association land is single ownership which means that all sites must be compliant before any permits are issued.
- To further protect health and safety within high-density areas:
- installation of any wood burning appliance must be W.E.T.T. certified;
- where a minimum separation distance of 9.0 metres is not provided between main buildings, a smoked detector with fire and carbon monoxide alarms and with a monitored system is provided and maintained; and,
- where a minimum separation distance between main buildings is less than 6.0 metres, fire retardant features as approved by the municipal building official have been applied to the relevant walls of the building being converted.

2.3.1 Secondary Dwellings- High Density

- No Secondary Dwelling Units shall be permitted in high-density areas (see Section xxxxxx).

2.3.2 Home Occupations- High Density

- Home occupations (section XXXX) shall be small scale, result in no increase in production of sewage or additional parking requirements, be completely contained within the home to the extent that it is unrecognizable from the exterior, without noise, vibration or emissions. Home occupations must be carried on by the occupant(s) only. Any home occupation shall never become a legal non-conforming commercial use.
- The building, and the electrical and plumbing systems must be documented by Building Permit or inspected by the Municipality or relevant public agencies or by other certified persons and deemed to be suitable for residential use.
- For high-density area properties fronting onto the water, additional considerations shall include:
 - No building, *{except for saunas and gazebos}* may be constructed or intended to be occupied in front of the main building including a bunkhouse, accessory building(s), no recreation vehicles stored used or otherwise, and no boathouse(s), except where justified in a site-specific zoning amendment;
 - *{Saunas and gazebos may be permitted, where justified, through an approval of an application by the Committee of Adjustment. }*
- In all instances where a lot has frontage on a water body the front yard is considered to be the lot line abutting the water. In all other instances the front lot line is regarded as the lot line which has frontage on the road.

2.4 Loon Lake Residential Lands – High Density

2.4.1 Intent of the Designation

- The Loon Lake Residential Lands are in the high-density area (see Section XXXX for high-density overlay limitations).
- The intent of the Loon Lake Residential Lands designation is to recognize the high-density development in the area, to reduce risk of drinking water contamination from waste/wastewater and to protect and enhance lake water quality while allowing the continued enjoyment of lakeside living.
- Residential land use is expected to continue; but is constrained due to the phosphorous levels of the lake.

- In 2006 the MECP conducted a computer modelling analysis on Loon Lake using then-current water quality information and the Municipality's 2006 lot inventory which included seasonal living. The analysis concluded that Loon Lake was a Level 2 Lake.

2.4.2 Goal

- To meet the provincial water quality objectives and avoid increasing the lake beyond a Level 2 water quality rating. To achieve this, the 2006 report projected that Loon Lake could support additional development supplying no more than an additional maximum of 224 kg/yr of total phosphorous. However, using 2013 data from the MECP and the Lake Partner Program it is now estimated to be 323 kg/yr, which exceeds the maximum.

2.4.3 Permitted Uses

- Existing residential. Limited *home occupations* in accordance with the high-density overlay policies. (see Section XXXXX high-density limitations).

2.4.4 Implementation

- To reduce human-generated phosphorus sources, no new lots may be created for all lands within 300 metres of the shoreline of Loon Lake. No building permits shall be issued until well and septic are compliant with the Ontario Building Code and water monitoring results show well water (where applicable) meets Provincial drinking water standards.
- The MECP recommends consultation with them to ensure the 10-year estimated monitoring cycle of Loon Lake water quality by the Ministry or by the affected camping organizations is undertaken to model results and to facilitate early detection of changes in the nutrient status and/or water clarity.
- The MECP also recommends that the affected Loon Lake property owners be encouraged to become involved in the collection of lake water samples through the Ministry's Lake Partner Program, a volunteer-based water quality monitoring program.
- Once lake water phosphorous levels meet XXXXX, limited development may be permitted in consultation with the MECP. **MECP: UNDER WHAT CIRCUMSTANCES WOULD DEVELOPMENT PERMITTED?**

2.5 Bass Lake Residential Lands – High Density

2.5.1 Intent of the Designation

- The Bass Lake Residential Lands are in a high-density area (see section XXXX high-density limitations).
- The intent of the Bass Lake Residential Lands designation is to recognize the high-density development in the area, reduce risk of drinking water contamination from waste/wastewater and to protect and enhance the quality of the lake for recreational purposes and environmental health while allowing the continued enjoyment of lakeside living.
- Residential land use is expected to continue; but the total phosphorous counts from the MECP and the Lake Partner Program in 2013 exceeded provincial water quality objectives.

2.5.2 Goal

- To meet the provincial water quality objectives.

2.5.3 Permitted Uses

- Existing residential. Limited *home occupations* in accordance with the high-density overlay policies. (see Section XXXXX high-density limitations).

2.5.4 Implementation

- No new lot creation shall be permitted until phosphorous is reduced and new lake capacity information justifies more intensive land use. MECP: WHAT PHOSPHORUS LEVELS ARE WE LOOKING FOR?
- No Building Permits shall be issued until well and septic are compliant with the Ontario Building Code and water monitoring results show well water (where applicable) meets Provincial drinking water standards.

2.6 Cottage Association Residential Lands – High-Density

2.6.1 Intent of the Designation

- The Cottage Association Residential Lands are in a high-density area. (see section XXXX high-density limitations).
- The intent of the Cottage Association Residential Lands designation is to address an area of unique land ownership and density of development that has evolved in the

municipality over a long period of time. Cottage Associations are defined as an organization of persons, whether incorporated or unincorporated or a trust, which holds title to blocks or parcels of land upon which are located a number of dwellings; the buildings for which are owned individually by persons who are members or shareholders in the association, and without limiting the foregoing, include the following Associations; Ishkibible Beach Limited; Clover Beach Limited; Floral Beach Limited; Green Point Campers' Association; West Green/Pebble Beach Association; East Green Bay Campers' Association; and Wild Goose Bay Trust association. White Birch Beach is also deemed to be a cottage association.

- Cottage Association lands are identified on the land use Schedule A and are generally located immediately east of the City of Thunder Bay, extending approximately six kilometres to Green Bay/Wild Goose along the shoreline of Thunder Bay.

2.6.2 Goal

- To protect health and safety, property value, and individual liability, while allowing the continued enjoyment of lakeside living.

2.6.3 Permitted Uses

- Existing residential, with minor repairs only. Limited *home occupations* (see Section XXXXX high-density limitations).
- Additional uses may include open space, recreational amenity areas serving the related immediate dwelling unit, and recreational and amenity areas serving the larger community. Limited local commercial may be permitted subject to *compatibility* and rezoning, once septic has been upgraded and well water is clear of contamination (see section xxxxxx high-density limitations).

2.6.4 Implementation

- Cottage Associations shall establish a reference plan of all cottage sites, and include an accurate, scaled illustration all of the buildings and structures, private and individual sewage and water facilities and other such features as are contained on the individual cottage sites.
- No new development is permitted on Cottage Association lands. No building permits will be issued until the above reference plan is complete, all water and waste/wastewater systems for every residence is compliant with municipal and provincial standards, and water monitoring results meet Provincial standards for

drinking water.

- The Municipality supports Cottage Association conversion to freehold or freehold-common element condominium combination in order to facilitate implementation of planning policies which benefit the whole community, particularly protection of health and safety and property values. As such, plans of subdivision/condominium, creation of private roads, and/or multiple consents may be permitted in the Association Lands only, as long as the entire area of the Association Lands is included in the application. The Municipality may still require specific information as part of a complete application such as, but not limited to identification of all roads and amenities (in addition to the servicing and structures) on a reference plan prepared by a professional Ontario Land Surveyor (OLS). A letter from an OLS to confirm that each structure is fully within the lot boundary may also suffice.

2.7 Rural Lands Designation

2.7.1 Intent of the Designation

- The intent of the Rural Lands designation is to recognize the low density, multi-purpose area in which a variety of land uses can be accommodated. Lands designated as Rural are shown on the Land Use Plans A1 and A2.

2.7.2 Goal

- To support economic development with compatible uses while protecting the environment and existing uses from incompatible uses.

2.7.3 Permitted Uses

- Permitted uses include a limited number of residential dwellings; regional, highway, tourist, and local commercial development; agriculture; forestry; aggregate and/or mineral exploration and/or extraction/mining; industrial; institutional; recreational; parkland; conservation works; portable asphalt plants; alternative energy developments; cemeteries; kennels; and existing remote cottaging.
- Notwithstanding the general list of permitted uses, only those uses that are compatible with the operation of a patrol yard shall be permitted to locate adjacent to or in close proximity to the Ministry of Transportation patrol yard on Highway 527 in ML 1, Savigny's Survey; the patrol yard located on Highway 11/17 in the NE quarter section 6, and SE quarter of Section 5, Concession 3, McTavish; and the former patrol yard located on Highway 587 in the SW quarter Section 11,

Concession 7, in McTavish.

2.7.4 Implementation

- The Rural Lands designation shall be implemented by a variety of zones, including but not limited to a base rural zone; aggregate extraction and aggregate processing zone; regional, highway, tourist, local commercial zones; and industrial zones. Legally existing land use shall be recognized in such zones and new development shall involve rezoning.
- All proposed uses must be compatible and must be serviced by private, on-site water and septic (see Sections XXXX and YYY, respectively).
- Depending on the site characteristics, planning justification may require supporting studies, in accordance with the policies of this plan.
- MacGregor Road shall continue to be a dedicated resource access road for the area north of Highway 11/17 in the immediate vicinity of this road.

2.7.5 Residential Use in the Rural Designation

- Limited residential lot creation is permitted (see Section xxxxx Lot Creation). Any new residential lot creation is encouraged to occur in the vicinity of existing concentrations of residential development, in the rural base zone; and be separated from uses that may have a negative affect (see Section XXXX Noise, Vibration, Emissions).
- Residential land uses in the Rural Lands designation may include accessory uses, including home occupations, secondary dwelling units, garden suites, and private individual energy facilities (see Sections, YYY, XXXX), respectively.

2.7.6 Commercial Use in the Rural Designation

- Compatible regional, highway, tourist and local commercial activity may be permitted in the Rural designation through zoning. (See Section XXXX Commercial).

2.7.7 Agricultural Use in the Rural Designation

- There are no Prime Agricultural areas present in the Municipality; however, production of local food and agricultural innovations are of utmost importance in building a healthy community and region.
- Accordingly, agricultural use is permitted in the Rural designation with appropriate Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation.(see

Section XXX Agriculture).

- Any change to a more sensitive use requires a MECP Record of Site Condition to avoid risk of contamination of produce.
- Secondary processing of agricultural products shall be permitted in accordance with the industrial policies of this plan (see Section XXXXX).

2.7.8 Forestry Use in the Rural Designation

- Forestry resources are considered to be an important component of the Municipality's long-term economic development. Innovative forestry management arrangements and practices will be encouraged as a means of maximizing economic benefit from forestry resources within the Municipality.
- Harvesting of forest resources shall be a permitted use in the Rural Lands designation, however, forest activity in the vicinity of Bass, Loon and Sparks Lakes and involving lands in the vicinity of the shoreline of Lake Superior are required to observe a 150-metre setback from the water body.
- Harvesting of forest resources will be permitted in the Rural zone.
- Secondary processing of forest resources shall be permitted in the industrial zone.
- Notwithstanding the above emphasis on forestry activity; any potential impacts from forestry activities shall be mitigated where forestry activity occurs in close proximity to sensitive uses (see Section xxxxx).
- Regulations shall be set out in the comprehensive zoning by-law including vegetative buffers where forest harvesting and more sensitive land uses could conflict.

2.7.9 Mineral and Mineral Aggregate Uses in the Rural Designation

- Mineral and Mineral Aggregate uses are permitted in the Rural designation in accordance with Section YYYY and XXXXXX Mineral and Mineral Aggregate Resources

2.7.10 Portable Asphalt Plants

- Portable asphalt plants are permitted in the Rural designation in accordance with Section XXXXX Portable Asphalt Plants.

2.7.11 Industrial use within the Rural Lands designation

- Compatible industrial uses may be permitted in the Rural Lands designation where the use typically requires a large amount of land, where resource-based activity is being proposed, for transportation activities, manufacturing, processing, servicing, and/or storing goods and raw materials, in accordance with Section XXXXX Industrial and Section XXXXX Compatibility, Section XXXX Noise, Vibration, Emissions, Section XXXX Servicing.
- Limited retail sales of products manufactured on the same premises may be permitted as a complementary use where such activity services the needs of the Rural area, where no negative impact is demonstrated through applicable studies and mitigation measures in the planning justification.
- All industrial uses are subject to zoning and site plan control (Section XXXX).

2.7.12 Alternative Energy Developments

- Alternative energy developments are permitted in the Rural designation in accordance with Section XXXXX Climate Change, Energy and

2.7.13 Institutional Use in the Rural Designation

- Compatible institutional activities serving the rural area, may also be permitted through zoning; subject to Section XXXX Institutional in General Policies, Section XXXX Compatibility; Section XXXXX Noise, Vibration, Emissions.
- All institutional uses are subject to zoning and site plan control.

2.7.14 Existing Remote Cottaging within the Rural Lands Designation

- Remote cottaging is a legal, non-conforming use of private or Crown land that is more than one kilometre from the closest public road, including islands for recreational purposes and not for permanent residential use.
- No new remote cottages shall be permitted.
- There shall be no expectation on the part of the remote cottage owner that the Municipality will ever attempt to take over responsibility for any private road accessing such lands. Nor does the Municipality in any manner assure or otherwise guarantee the cottage owner legal access to any remote cottage – the responsibility for such shall rest entirely and completely with the remote cottage owner. Similarly, the Municipality advises that it may not be able to provide emergency services to such remote locations.

2.7.15 Kennels within the Rural Lands Designation

- Pet ownership is growing, and as such, pet services including kennels shall be permitted in compatible locations through re-zoning; subject to planning justification that includes assessment of private, on-site servicing capacity and the requirements of the Shuniah Kennel By-Law.
- To minimize conflicts, based on the planning justification, the zoning may include a minimum separation distance and/or visual barrier between a kennel and any adjacent land use which may be sensitive. Physical noise barriers, limitation on the number of animals, and/or limited times for pet pick-up and drop-off may be required to mitigate impacts.
- All kennels must have sufficient land to accommodate onsite parking, vehicle movement and outdoor pet runs.
- Site plan control (See section XXXX) shall be enacted to implement any mitigation measures.

2.8 Environmental Protection Lands

2.8.1 Intent of the Designation

- The intent of the Environmental Protection Lands is to delineate and regulate development on all lands having inherent physical environmental hazards such as flood susceptibility, poor drainage, steep or unstable slopes or other physical conditions which act as a constraint to development in order to prevent loss of life and minimize property damage and social disruption.
- The intent is to also protect wetlands from incompatible activities, areas of natural and scientific interest, significant wildlife habitat, known habitat of endangered and threatened species, and fish habitat; to preserve and enhance the amenities and natural resources offered by waterways, wetlands, and natural areas; and to direct development away from contaminated lands, parks/nature reserves and conserved cultural heritage and archaeological resources of value or interest.
- The land use designated areas are shown on Schedule A - Land Use and Schedule B - Constraints Map.

2.8.2 Permitted Uses

- Permitted uses within the Environmental Protection designation shall generally include shoreline protection works, floodplain protection works, fisheries

management, wildlife management, waterfowl production, agricultural uses, and parks.

- Development shall not be permitted on Environmental Protection lands for the following uses:
- Residential, commercial, and industrial uses;
- Institutional uses, where the institutional use is associated with hospitals, nursing homes, day cares and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or youth during an emergency as a result of flooding, failure of flood proofing measures or protections works, or erosion;
- An essential emergency service/facility for fire, police, ambulance, stations or electrical substations, which would be impaired during an emergency as a result of flooding, failure of flood proofing measures or protection of works, or erosion; and,
- Any use associated with the disposal, manufacture, treatment, or storage of hazardous materials.
- Existing uses shall be recognized including agricultural uses. Expansions to such uses will be discouraged; however, reconstruction and/or minor alterations to existing buildings and structures, and additions or extensions which are not likely to incur significant flood damage; and will not result in impediments to flow or floodwater storage, may be considered by the Municipality and the proposed development is subject to written approval from the Lakehead Region Conservation Authority.

2.8.3 Implementation

- Proposals for development within the Environmental Protection Lands designation, including construction of buildings or structures, or additions thereto, will be considered on an individual basis, provided that such proposals are supported by and planning justification report featuring engineered designs and other relevant studies including, but not limited to an Environmental Impact Assessment, Environmental Site Assessment and/or slope stability study demonstrating that the site is safe for development and any impacts to natural heritage resources are mitigated. Any technical studies must be completed by a qualified person. If a development application involves contaminated land, submission of a Record of Site Condition in accordance with MECP is required. See Section XXXX Contaminated Lands.

- Furthermore, development, including the placement or removal of fill, shall not be permitted in any hazardous site or land that could be unsafe as a result of naturally occurring processes or contamination, unless it can be demonstrated, to the satisfaction of the Municipality that:
 - the hazard can be safely addressed, and the hazard will not result in public health, safety or potential property damage;
 - no new hazards are created, nor existing hazards aggravated;
 - no adverse environmental impacts will result from the development;
 - vehicles and people have a safe way of safely entering and existing the area during times of flooding, erosion, and other emergencies; and,
 - the development does not include institutional uses, essential emergency services or the disposal, manufacture, treatment, or storage of hazardous substances.
 - no plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without prior written authorization from the Province. Where required under the federal Fisheries Act prior written authorization from Fisheries and Oceans Canada must be obtained.
 - where required under the Lakes and Rivers Improvement Act or the Public Lands Act, prior written authority must be obtained where any development impacting such watercourses or water bodies is being proposed.
 - there is no public obligation to either change the designation of, or to purchase any lands within the Environmental Protection designation, particularly if the environmental hazard would be difficult or costly to mitigate or overcome.
 - 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 Province.
 - environmental Protection lands may not be considered acceptable as part of a parkland dedication pursuant to the Planning Act.
 - environmental Protection lands shall be placed in appropriate zone categories in the implementing zoning by-law.

The Municipality may zone lands that are subject to inherent natural hazards in one or more zones that restrict construction of buildings and/or structures.

2.9 Waste Management Lands

2.9.1 Intent (Need Statement from Shuniah about status of Waste Management Studies)

- The Municipality shall ensure that its waste management systems are of an

appropriate size and type to accommodate the present and future requirements of the residents and will facilitate, encourage, and promote reduction, reuse, and recycling objectives by providing recycling facilities at waste disposal locations receiving domestic waste. All private waste management sites shall require an amendment to this official plan.

- The Municipality expects the capacity of the current sites to accommodate the anticipated waste generated from the growth projected over the time horizon of this official plan.
- Development will be monitored in accordance with the capacity of the current sites to ensure that there is sufficient capacity at all times.
- Should additional landfill capacity be required, the project will need to be planned under the applicable environmental assessment process and will need to obtain approval under the Environmental Protection Act.
- The following waste disposal locations are presently used or were previously used for waste disposal;
- McTavish site # 591301 - NE ¼ Sect 7, Conc 5 -- Active
- MacGregor site # 59102 - North Pt of ML 5A, Hart's Survey – Active
- Highway 527 site # -- Active
- Pearl site # 59103 – Pt ML E, Herrick's Survey – Conc 2, S ½ Lot 5 -- Closed
- E. Loon sit # 59105 –NW ¼ Sect 7 Conc 8, N ½ Lot 7-- Closed
- uncertified sites – Lot 12, Conc 3 and Lot 11, Conc 7 -- Closed

2.9.2 Permitted Uses

- Operation of a waste disposal facility may also include related buildings and/or structures and identified monitoring and/or attenuation or setback areas.

2.9.3 Implementation

- Prior to the development of any of the above noted lands for other uses, or of lands within 500 metres of a waste disposal facility, the following provisions shall be addressed and satisfied:

- where development is proposed for lands that had been used for the disposal of waste within the last 25 years, approval must be obtained from the Minister of the Environment, Conservation and Parks stating that the development satisfies the provisions of Section 46 of the Environmental Protection Act;
- where development is proposed within 500 metres of an active or closed waste disposal facility, engineering studies prepared in accordance with MECP D-series Guidelines will be required to demonstrate that the development can occur in a safe manner. Such studies shall consider the hydrogeology of the site, gas migration, and possible leaching from the site, the nature of the wastes that are contained in the site, vermin or other impacts; and,
- development or operation of a private waste disposal facility as a commercial business shall require an amendment to this official plan and may not be supported as new uses of this nature are not generally be encouraged within the municipality.
 - All waste disposal facilities shall have frontage on a municipally or provincially owned or maintained road, with the exception of the Landfill Waste Disposal Site located on portions of Concession I and II Sections 15 and 16 MacGregor, as shown on Schedule A – Land Use Map may use a private road crossing Crown and/or private lands.

Additional resources include:

- D-4 Land Use On or Near Landfills and Dumps <http://www.ontario.ca/document/d-4-land-use-or-near-landfills-and-dumps>
- D-4-1 Assessing Methane Hazards from Landfill Sites <http://www.ontario.ca/document/d-4-1-assessing-methane-hazards-landfill-sites>
- D-4-2 Environmental Warnings/Restrictions <http://www.ontario.ca/document/d-4-2-environmental-warningsrestrictions>
- D-4-3 Registration of Certificates and Provisional Certificates <http://www.ontario.ca/environment-and-energy/environmental-land-use-planning-guides>
- Guide to Environmental Assessment Requirements for Waste Management Projects <https://www.ontario.ca/environment-and-energy/guide-environmental-assessment-requirements-waste-management-projects>
- Landfill Standards: A Guideline On The Regulatory And Approval Requirements For
- New Or Expanding Landfilling Sites <https://www.ontario.ca/environment-and->

3 GENERAL LAND USE POLICIES

- The intent of all General Land Use policies is to address general planning matters and to set out provisions and policies that will apply over the entire Municipality in all land use designations unless stated otherwise.

3.3 Lot Creation in All Land Use Designations

- Lots meeting minimum area and servicing requirements may be eligible for division by consent in accordance with the policies of this plan (see Section XXX Lot Creation). Rezoning is not required.
- Due to the over-supply of residential lots in the municipality, multiple-residential development shall be limited to resource-based recreational uses, or to improve the land use planning situation in the Cottage Association Lands by converting from co-ownership to freehold ownership or freehold-common element condominium combination (see Section XXXX).

3.4 Accessory Uses in All Land Use Designations

- In all land use designations, accessory uses that are compatible with, incidental, and secondary in nature to main uses may be permitted provided that impact upon abutting or nearby main uses is minimal, and that the main use of the property continues to be dominant and to be provided with space for traffic parking and mobility, amenity area and landscaping and necessary servicing. Septic and well function and capacity per the policies of this official plan must be demonstrated. Site plan control shall be enacted ([Section XXX](#)) where mitigation measures require implementation.
- Accessory uses may also include loading areas, landscaping, fencing, and similar features; and may also include private alternative energy facilities, *home occupations* (including home-sharing), bed and breakfast establishments, and garden suites.

3.4.1 **Alternative Energy Facilities**

- See Section XXXXX Climate Change, Energy and...

3.4.2 **Home Occupations**

- *Home occupations* are private, legal business activity undertaken in the home that

preserves the character of the neighbourhood; is clearly secondary to a principle use; and is *compatible* with the land and adjoining residential properties, particularly in terms of noise, vibration, dust and other emissions. It is operated only by a person residing within the dwelling unit. It does not include sale and consumption of food on the premises, such as a restaurant or café. It does not include storage of inventory except for arts or crafts. Examples of home occupations include: professional consulting services, technological or computer-related services, producing and sale of goods related to garden produce, honey bees, a single transport truck service, crafts, art, handmade items, home-cooking or baking, home day care, home-based product sales like cosmetics, and clothing and home ware, *home-sharing* (see Section XXX).

- 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 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. 🧑
- *Home occupations* in high-density areas (see Section XXX) shall be *compatible*, result in no increase in production of sewage, noise, dust, vibration, odours or additional parking requirements; be completely contained within the home to the extent that it is unrecognizable from the exterior.
- Home occupations are permitted in the Residential zone.

3.4.3 Bed and Breakfast Establishments

- A bed and breakfast establishment is a single or semi-detached dwelling in which guest bedrooms or suites are provided for gain as temporary accommodation on a daily basis.
- Bed and breakfast use within a single detached or semi-detached dwelling are permitted provided that the physical character of the dwelling is not substantially

altered.

- The dwelling must clearly be the principal use of the land and the bed and breakfast component clearly an accessory use to the dwelling.
- Such establishments must have the owner of the residence/proprietor residing on the premises.
- The TBDHU shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating.
- Bed and breakfast establishments are implemented through zoning.

3.4.4 Garden Suites – see Section XXXXXX Affordable Housing, Secondary Suites and Affordable Housing

3.4.5 New Mobile Homes

- New mobile home parks shall not be permitted in any designation in the Municipality. See section XXXXX for existing mobile home development policies.

3.4.6 Remote Cottaging

- New remote cottaging shall not be permitted in any designation in the Municipality. See section XXXX for existing remote cottaging policies.

3.4.7 Group Homes

- A group home is defined as a single housekeeping unit in a residential dwelling, which is registered with the municipality, in which three to 10 residents (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents, who by reason of their emotional, mental, social, physical or other condition require a group living arrangement and the home is licensed or approved under provincial statute and is in compliance with municipal by-laws.
- A group home shall be permitted in all areas where residential uses are permitted.

3.4.8 Short-Term Accommodation

- The Municipality is supportive of home-sharing or *short-term* accommodation to promote economic development and provide opportunity for diversity in local accommodations while limiting potential impacts to neighbourhoods.

- *Short-term* accommodation shall be permitted in all designations in the entire main unit of any main dwelling.
- *Short-term* accommodation shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or cottage, hospital, commercial resort unit or similar commercial or institutional use; all of which require site specific zoning.

The municipality may choose to implement a licensing program in the future to facilitate improved enforcement of property standards, noise and other related by-laws. It may also consider working with home-share companies to improve policy implementation and by-law enforcement.

3.4.9 Recreational Vehicles

- Recreational vehicles (RVs) are recognized as a popular item often stored in rural locations due to size and general incompatibility with higher density development. As the population ages, the municipality expects an increase in the number and variety of RVs.
- RVs are defined as trailers in the Ontario Building Code.
- RVs may be stored on large lots; and shall not impact neighbouring use of land.
- No more than three RVs may be stored on any lot without appropriate commercial zoning.
- RVs shall not be located, maintained, or used for the purpose of regular, long-term residential accommodation.
- Campgrounds may be used for winter storage of RV trailers as well as campground activity.

3.5 Affordable Housing, Second Dwelling Units and Garden Suites

- The Municipality encourages affordable housing in the municipality. Given the inherent affordability and low-density form of development in the municipality characteristic of many northern and rural municipalities; second dwelling units and garden suites are considered to be a form of affordable housing.
- Second dwelling units are permitted within any legally existing main use residential dwelling within the municipality except on Association Lands and in high-density areas, including Residential Lands on Lake Superior, Loon Lake, Bass Lake, or Sparks Lake. Garden suites are also permitted within the municipality except the areas

listed above.


- Secondary dwelling units and garden suites shall:
 - require a building permit;
 - be located on a lot that meets the minimum lot area and frontage of the implementing residential zone in which they are located without variance or amendment to the zone regulations; and,
 - demonstrate existing private sewage and water service capacity to support a second dwelling unit or garden suite as part of the building or occupancy permit application for the second dwelling unit or garden suite (see section XXXX).
- In addition to the above a garden suite may be permitted in accordance with the provisions set out in the Planning Act by a property specific re-zoning.

3.6 Natural Heritage

- Natural heritage features include features and areas of significant wetlands, fish habitat, wildlife habitat, habitat of endangered or threatened plants and/or animal species, and Areas of Natural Scientific Interest (ANSI) which are important for their environmental and social values.
- Natural features and areas shall be protected for the long term, and diversity and connectivity of natural features and the long-term ecological function and biodiversity of natural heritage systems shall be maintained, restored, and where possible improved. Protection shall involve the use of appropriate zones and regulations in the Comprehensive Zoning By-law, and the consideration of nearby natural heritage features and areas during the review process for any planning approval (see Resources in Appendix 3).
- The Municipality shall enter into a municipal/provincial data sharing agreement in order to obtain data and maps of registered/known values located within the Municipality. In addition, data and maps of any designation or locally significant value within the Municipality shall be maintained as it becomes available for us in the planning review. The Municipality may, where financial resources permit, regularly update municipal natural heritage mapping under the provisions of the municipal/provincial data sharing agreement.
- The Municipality will update municipal natural heritage resource mapping under the provisions of a municipal/provincial data sharing agreement, as new values are

identified. 

3.6.1 Significant Wildlife Habitat


- Areas of significant wildlife habitat are shown in Schedule B - Constraints Map.
- Development and site alteration shall not be permitted in or adjacent to significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- Adjacent lands to significant wildlife areas are defined to be 120 metres from the boundary of the feature.
- Preliminary ecological assessment may be conducted based on existing mapping, existing local knowledge, and/or site visitations when development and/or site alteration is proposed. If the proposed development is within or adjacent to a significant wildlife habitat, the Ministry of Natural Resources and Forestry (MNRF) will be contacted for information and guidance for such assessment.
- Significant wildlife habitat can include but is not limited to: habitats of seasonal concentration of animals; rare vegetation communities or specialized habitat for wildlife; habitat of species of conservation concern; and animal movement corridors.
- Where preliminary assessment indicates the likely presence of significant wildlife habitat, an Environmental Impact Study will be required. 

3.6.2 Habitat of Threatened or Endangered Species


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.

- Adjacent lands for threatened and endangered species are 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.
- Preliminary ecological assessment may be required 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.

- Where preliminary assessment indicates the present of significant habitat of threatened or endangered species an Environmental Impact Study will be required in instances where the Ministry of Natural Resources and Forestry indicates that the habitat may be impacted by the proposed activity.
- Consultation with the MNRF shall occur where such habitat is being evaluated. 

3.6.3 Significant Wetlands and Significant Coastal Wetlands

- Significant wetlands and significant coastal wetlands are shown on Schedule B - Constraints Map.
- Wetlands are areas where the land is wet either permanently or seasonally; and result in water-logged soils and the growth of water tolerant or water favouring plants. Wetlands typically occur along the edges of lakes and watercourses, or in areas where water pools for at least a part of the year. Adjacent lands are defined to be lands within 120 metres of the boundary of a significant wetland.
- No wetlands occurring in the Municipality have been evaluated using Ontario's Wetland Evaluation System. Accordingly, a preliminary assessment may be required where development is proposed within 120 m of a wetland feature.
- All wetlands containing fish habitat and all lakes shall have a minimum setback of 30 metres implemented through zoning. Watercourses may have additional setbacks established where size warrants.
- No development or site alteration is permitted within provincially significant coastal wetlands. 

3.6.4 Fish Habitat

Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. All streams in Shuniah are assumed to be cold water streams by the MNRF; and as such are protected with a 30 m setback.

All naturally occurring watercourses and waterbodies are considered to be fish habitat unless it can be demonstrated in a report by a qualified professional that the feature does not contain fish habitat as defined by the Fisheries Act.

Riparian vegetation and ground water springs and recharge areas are considered to be important features and will be considered in the review of any fish habitat.


Development adjacent to fish habitat, where permitted by other applicable policies of this plan, may be permitted provided that the ecological functions of the adjacent lands has been evaluated and it has been determined that there will be no negative impacts of the fish habitat. For the purposes of this policy, adjacent lands shall be considered to be all lands within 120 metres of the normal high-water mark of any watercourse or waterbody; and are shown on Schedule B - Constraints Map.

Alteration, disruption, or destruction of fish habitat shall not occur unless prior authorization has been secured from Fisheries and Oceans Canada as required under the federal Fisheries Act.

- All wetlands, water bodies and natural watercourses shall have a setback of 30 m implemented through zoning. Setbacks may be increased or decreased based on results of evaluations. 🧑

3.6.5 Areas of Natural Scientific Interest

- Two significant Areas of Natural Scientific Interest (ANSI's) have been identified in the municipality.
- ANSI means lands and/or water containing natural features which have been identified as having significant value related to the natural heritage protection, scientific study, or education.
- ANSI's can be Earth Science features or areas that contain examples of rock, fossil, and/or landform features that are the result of geological processes and landscape evolution; or Life Science features or areas that contain examples of natural landscapes, communities, plants or animals typically found in the 14 natural regions of Ontario.
- Development and/or site alteration shall not be permitted adjacent to (i.e., within 50 m of) any ANSI unless it has been demonstrated by an EIS that there will be no negative impacts on the particular feature or its related ecological function.
- ANSIs are protected through zoning.


- Environmental Impact Studies (EIS)
- Where preliminary screening indicates there is a potential for impact on any natural heritage value, an Environmental Impact Study shall be prepared by a qualified professional in accordance with Ontario regulation(s). The EIS shall include but not be limited to:
 - A description of the existing natural environment, including natural features and ecological functions that may be affected by the proposed development or site alteration;
 - A description of the proposed development;
 - A description of the potential impacts anticipated by the proposed development on the natural environment;
 - Suggested development alternatives that would avoid these impacts, or if impacts cannot be avoided, recommended mitigation measures, including proposed implementation measures; and,
 - Recommended monitoring activities.
- Where an EIS is required, it shall be included in the *planning justification*; and may include the requirement for a peer review paid for by the developer. 

3.7 Cultural Heritage and Archaeology

- All new development as permitted by the policies of this plan shall conserve built heritage resources of value or interest and cultural heritage resources of value or interest protected using the provisions of the Ontario Heritage Act; and shall wherever possible incorporate these resources into development plans.
- Where applicable, planning justification for all new development must show that the project preserves and enhances the context in which any cultural heritage resources are situated; and in doing so, has considered the interests of Indigenous communities.
- Conserved built and cultural heritage resources of value or interest and archaeological resources of value or interest protected under the provisions of the Ontario Heritage Act, are protected from development through the Environmental Protection Lands land use designation in section xxxxxx; and implemented through zoning.

- No development or site alteration shall be permitted on lands containing such resources.
- Development and site alteration are not permitted on land adjacent to (i.e., contiguous with) the protected heritage property except where the proposed development and site alteration has been evaluated by a qualified person; and it has been demonstrated that the heritage attributes, as defined by the Provincial Policy Statement will be conserved.
- To recognize and protect built and cultural heritage resources, the Municipality may also utilize:
 - demolition control by-laws;
 - interim control by-laws;
 - subdivision development agreements;
 - financial incentives such as Community Improvement Plans;
 - heritage conservation easements; and,
 - grants and loans for heritage conservation.
- A Municipal Heritage Committee may be established pursuant to the Ontario Heritage Act, to advise and assist Council on conservation matters relating to heritage resources. The functions of this committee should include but not be limited to:
 - identify cultural heritage resources of local and regional interest;
 - advise on matters associated with the identification, conservation, preservation, and adaptive re-use of cultural heritage resources; and,
 - and advise to designate the Municipality or any area or areas within the Municipality as heritage conservation district.
- The Municipal Clerk shall maintain a register of all properties designated under the Ontario Heritage Act. The register may also contain properties with heritage conservation easements and properties that are not designated, but which are considered by Council to be of cultural heritage value or interest.
- 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


heritage landscapes of historic interest.

- The Municipality shall have regard for the conservation of all cultural heritage resources of interest and value during the undertaking of municipal public works or environmental projects. When necessary, satisfactory measures and/or heritage impact assessments will be required to mitigate any adverse impacts as outlined by the heritage conservations policies of this plan.
- The Municipality shall encourage local utilities companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and which do not have a negative impact on the archaeological integrity of those resources.
- The Municipality shall seek the acquisition of easements on properties with heritage interest or value in order to assure the preservation of these resources in perpetuity.
- The Municipality shall ensure that each municipally-owned heritage resource which is sold, leased or transferred to another owner or lessee is subject to a heritage easement agreement which shall guarantee its preservation, maintenance and use in a manner which respect its heritage value or interest and, when appropriate is subject to a heritage restoration agreement which shall require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Municipal Heritage Committee or other accepted heritage property standard.
- The Municipality shall ensure that secondary planning studies identify cultural heritage resources which may exist under the study area and propose means to protect and enhance such resources. 
- The Municipality shall consider the interests of local Indigenous and Métis communities in conserving cultural heritage and archaeological resources;

3.7.1 Indigenous and Metis Cultural and Heritage

Métis traditional territories provide the resources necessary - hunting, fishing, trapping, gathering for food, plants for medicines, social and cultural purposes - in order to support and maintain a regional Métis community's ongoing survival. Métis peoples live in, harvest throughout and extensively rely on their traditional territories for their individual and community's well-being. The relationship between regional Métis communities and their traditional territories is a symbiotic

one. One cannot be healthy without the other being equally healthy. As such, what happens to these traditional territories in relation to their ecosystems, use, development and sustainability are of fundamental importance to the survival of Métis individuals, children, families and communities. If these territories are indelibly changed or damaged, the Métis people and communities will be as well.

The Municipality recognizes the Métis traditional use of the waterways, shorelines and lands in and around the Municipality's boundaries. All future development and development currently under processing for permitting in the vicinity of shorelines will not impede access of the Métis to these traditional areas. In order to better understand and mitigate the potential impact of such developments, the Municipality of Shuniah will consult the Métis community, working through the MNO Lakehead/ Nipigon /Michipicoten Traditional Territory Consultation Committee. 


3.7.2 Archaeological Resources

- As of 2019, there are 21 archaeological sites identified within the municipality. The Municipality shall enter into a municipal/provincial data sharing agreement in order to obtain data and maps of registered/known archaeological sites located within the Municipality. In addition, data and maps of any designation or locally significant heritage buildings or structures, mapped areas of archaeological potential and/or cultural landscapes within the Municipality shall be maintained as it becomes available for us in the planning review. The Municipality may, where financial resources permit, regularly update municipal archaeological resource mapping under the provisions of the municipal/provincial data sharing agreement.
- The Municipality will regularly update municipal archaeological resource mapping under the provisions of a municipal/provincial data sharing agreement, as new archaeological sites are identified.
- The Municipality with the advice of the Ministry of Tourism, Culture and Sport may undertake the preparation of an Archaeological Management Plan to 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 archaeological sites of value.
- The Municipality shall require archaeological assessment by archaeologists licensed under the Ontario Heritage Act in areas where there are known archaeological

resources and/or areas exhibiting archaeological potential within the boundaries of Shuniah.

- Alterations to known archaeological sites must only be performed by licensed archaeologists.
- Any archaeological resource of value 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.
- The Municipality shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism, Culture and Sport and the Ministry of Government and Consumer 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 Funeral, Burial and Cremation Services Act shall apply.

Provincial Criteria for determining archaeological potential:

- Known archaeological sites within 300 m
- Water source (primary, secondary, ancient) within 300 m
- Elevated topography (e.g. knolls, drumlins, eskers, plateaux)
- Unusual land formations (e.g. mounds, caverns, waterfalls)
- Resource-rich area (concentrations of animal, vegetable or mineral resources)
- Non-aboriginal settlement (monuments, cemeteries)
- Historic transportation (e.g. road, rail, portage)
- Property protected under the Ontario Heritage Act
- Local knowledge
- Recent disturbance (extensive and intensive) 

3.7.3 Marine Archaeology

- The Municipality recognizes that there may be marine archaeological remains from the pre-contact period through to the modern era up to the last 50 years. These marine archaeological resources may include the remains of ships, boats, vessels, artefacts from the content of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft, and other items of cultural heritage value. The remains may currently be, or at one time, submerged under water.

- Council may require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the Ontario Heritage Act if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value are identified and impacted by shoreline and waterfront developments. 🧑

3.8 Wildland Fire

- The Municipality is committed to protecting its residents from wildland fire risks and costs. Accordingly, development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire, shown in Schedule B - Constraints Map. Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the MNRF. The wildland fire assessment shall be required as part of the *planning justification* and complete application.
- Please refer to the MNRF Wildland Fire Risk Assessment and Mitigation Reference Manual for more detail. 🧑

3.9 Contaminated Sites

- Contaminated sites or “brownfields” typically involve lands that were previously used for industrial, transportation, or utilities purposes, and for some commercial purposes such as where fuels were being stored and/or dispensed.
- 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 statement, either completed in advance of the relevant planning decision or established as a condition of the removal of a holding zone symbol.
- In **any** designation, where land use is changing to a more sensitive use, or where a facility is proposed that will be used by youth, such as a community centre, a Record of Site Condition must be filed with the Ministry of Environment, Conservation and Parks (MECP).
- A holding symbol shall not be used in situations where the extent of the suspected contamination is such that it is possible that remedial measures either cannot be implemented or would be impractical. In such instances, the Record of Site

Condition shall be completed in advance of any land use decision.

- The Municipality may encourage and where possible assist in the identification and study of sites where contamination is known or thought to exist and where no current development proposal is involved. Sites will be shown on Schedule B - Constraints Map as they are identified.

3.9.1 Additional Resources:

- A Guide on Site Assessment, the Cleanup of Brownfield Sites and the Filing of Records of Site Condition: <https://www.ontario.ca/environment-and-energy/guide-site-assessment-cleanup-brownfields-filing-records-site-condition>
- Contaminated Sites RSC Registry:

http://www.ene.gov.on.ca/environment/en/subject/brownfields/STDPROD_075742.html

3.10 Mineral Aggregate Resources, Mineral Resources, and Mining Hazards

3.10.1 Mineral Aggregate Resources

- Mineral aggregate resources are defined as gravel, sand, clay, rock or other materials, prescribed under the Aggregate Resources Act, suitable for construction, industrial, manufacturing and maintenance purposes. Areas of mineral aggregate potential are shown on Schedule B – Constraints Map.
- In areas of mineral aggregate potential, development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - Resource use would not be feasible; or
 - The proposed land uses or development serve a greater long-term public interest; and,
 - Issues of public health, public safety and environmental impact are addressed.
- Extractions of any size shall be undertaken in a manner which minimizes social and environmental impacts demonstrated through appropriate studies in the planning justification.

- Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased, however, progressive and comprehensive rehabilitation should be undertaken wherever feasible.
- Existing aggregate operations shall be permitted to continue without the need for an official plan amendment, zoning by-law amendment, or development permit under the Planning Act.
- New pit and quarry operations require *planning justification*, including, but not limited to noise, vibration, and other emissions, ground and surface water studies to determine the influence area of the operation. (See Section XXXX Emissions...) No new pit or quarry may be established without the completion of these studies. In the absence of studies, pits and quarries should be treated as Class III industrial facilities and new sensitive land use developments are required to meet the separation requirements for Class III facilities in MECP D-series Guideline: Compatibility between Industrial Facilities and Sensitive Land Uses. Blasting operations shall be in compliance with MECP Guidelines NPC- 119 for Blasting.
- Development in or adjacent to an area of known aggregate resources, or within the area of influence of existing pits and quarries shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by noise, dust, or other public safety issues that are related to the extractive activity. Site-specific studies can be used to determine the actual area of influence for an aggregate operation.
- New or expanding aggregate extraction operations shall be well removed from sensitive land uses and screened from view to the greatest extent possible. New or expanded aggregate or mineral extraction operations shall not negatively affect existing and future adjacent land uses, social values, and the environment per the planning justification.
- Cultural heritage resources shall be considered in the planning justification when new areas for aggregate operations are being considered. Prior to the establishment of a new aggregate pit or quarry or expansion of an existing operation, an archaeological assessment by a qualified professional shall be completed to the satisfaction of the Province and any cultural heritage resources that may be identified on the site shall be conserved in accordance with the recommendations of an archaeological assessment.
- New aggregate extraction operations are permitted through re-zoning and site

plan approval. Site plans shall include the following:


1. The legal limits of the property, contours, dimensions, site area, location, and the extent of any adjacent property owned by the applicant;
2. The existing use of land and the location and use of all buildings and structures lying within 300 metres of the property that is the site of the extractive operation;
3. Existing and anticipated grades of extraction, extent of extraction area, setbacks from the limits of extraction to the property line, and screening and buffering;
4. The location, height, dimensions, and use of all buildings or structures, and location of machines existing or proposed to be erected on the property;
5. All entrances and exits;
6. Limits of development, road plan, water drainage, storage and management, location of stockpiles;
7. The surface water bodies, groundwater uses, Wellhead Protection Areas, and any other features identified through the source protection planning process be shown on the plan; and
8. Progressive and ultimate rehabilitation plan including topography, contours, grading, stabilization of banks, fill, drainage, and re-vegetation. 🧑

3.10.2 Mineral Resources


- Areas of mineral potential have been identified on Schedule B – Constraints Map.
- Mineral resources may include metallic minerals, industrial minerals not regulated under the Aggregate Resources Act, mined salt, and diamonds.
- Areas of mineral potential shall be protected from encroachment by inappropriate land uses that may restrict the future use of the mineral resources.
- The Ministry of Energy, Northern Development and Mines shall be consulted with regards to development in or adjacent to the areas of mineral potential.
- New mineral resource operations shall use best practices and technologies to minimize impacts on sensitive land uses, social values and the environment overall. Influence areas and separation distances will be used to avoid incompatible land uses. An influence area is not a strict buffer or setback area where development is automatically prohibited. Within the influence area, development may be

permitted where it is clearly demonstrated through planning justification supported by technical studies, that adverse impacts such as noise, dust, vibration can be mitigated and the quality and quantity of ground water on adjacent properties will not be compromised where excavation occurs below the water table. A separation distance establishes a minimum horizontal distance between incompatible land uses.


- New development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Development and site alteration shall not be permitted on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Development and site alteration where permitted shall incorporate these resources into new development plans.
- New mineral extraction operations are permitted through re-zoning and site plan approval. The site plan shall include:
 - The legal limits of the property, contours, dimensions, site area, location, and the extent of any adjacent property owned by the applicant;
 - The existing use of land and the location and use of all buildings;
 - Existing and anticipated grades of extraction, extent of extraction area, buffering; and structures lying within 300 metres of the property that is the site of the extractive operation;
 - The location, height, dimensions, and use of all buildings or structures, and location of machines existing or proposed to be erected on the property;
 - All entrances and exits;
 - Limits of development, road plan, water drainage, storage and
 - management, location of stockpiles;
- Completion of ground and surface water studies to assess the impact of the extraction operation (both during and post), any water taking, and the return of process water upon the areas water resources; and,
- Progressive and ultimate rehabilitation plan including topography, contours,

grading, stabilization of banks, fill, drainage, and re-vegetation. 

3.10.3 Mine hazards

- Mine hazards are shown on Schedule B Constraints Map. Where abandoned mining operations exist as part of lands proposed for development or within 1 000 metres of lands proposed for development, Regional Land Use Geologist – North West will be consulted so that the most up to date information and advice can be provided to the Municipality in the interest of public safety. The Regional Geologist may involve other technical experts within Ministry of Energy, Northern Development and Mines as required to assist with evaluation of the hazard. Evaluation and remediation of the hazard, where required, will be as required by Part VII of the Mining Act. 

3.11 Asphalt and Concrete Plants

- Portable/temporary asphalt and/or portable concrete plants used on public authority contracts shall be permitted without the need for an official plan amendment, rezoning, or development permit under the Planning Act, in all areas, except where those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
- Upon completion of the particular contract related to the portable facility, the facility will be removed; and the site will be appropriately rehabilitated.
- Operation of a portable asphalt or portable concrete plant shall not occur unless the plant has an Environmental Compliance Approval (ECA) (Air) under the Environmental Protection Act for the equipment/processing required to address air emissions, noise, particulate and odours.
- Permanent asphalt and/or concrete plants associated with private aggregate and/or quarrying operations will require specific rezoning recognition including an Environmental Compliance Approval (ECA) and will be considered on their individual merits through the zoning process. 

3.12 Agricultural Uses

- The municipality recognizes the importance of local food production in building a healthy community and region. The intent of this policy is to maintain current local

agricultural uses and expand opportunities.


- Community gardens are permitted and encouraged in compatible locations across all land use designations subject to safe practices including ensuring soil is free of contamination.
- Agricultural land uses, including raising livestock is permitted in the Rural designation
- All agricultural land uses shall comply with the Minimum Distance Separation (MDS) provisions for agricultural activity as set out by the Province of Ontario.
- The MDS II shall apply to new and expanding barns and manure storage facilities and to new non-farm uses to establish appropriate setbacks between incompatible land uses. Reference might be made to the most current version of the MDS guidelines for calculating the applicable Minimum Distance Separations.

3.13 Provincial Highways

- In the 1990's, planning studies were completed that resulted in the identification of a right-of-way for the future four-laning of Highway 11/17 between the City of Thunder Bay and Nipigon, and through the Municipality of Shuniah. This new right-of-way was designated under the Public Transportation and Highway Improvement Act in 2003 as a Proposed Controlled Access Highway; and is being protected for four-laning needs. This four-lane plan involves both twinning and new alignment. In 2009 the Ontario government announced its decision to proceed with this four-laning and as a result a series of projects have been initiated and are in various stages of design and/or construction, with some being completed. As four-laning occurs, this new highway alignment will be a designated Controlled Access Highway. Such a CAH has restrictions including that direct private and commercial access will not be permitted.
- Direct access onto a provincial highway will be restricted. Proposals can be circulated to Ministry of Transportation to define exact requirements.
- Development shall be encouraged to utilize local roads wherever possible. Where highway access 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.
- In addition to all the applicable municipal requirements, all proposed development located adjacent to and in the vicinity of a provincial highway within the Ministry of

Transportation's permit control area will also be subject to Ministry of Transportation approval. Early consultation with the Ministry of Transportation is required to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the Municipality identified for future development that are located adjacent to or in the vicinity of a provincial highway or interchange/intersection within the Ministry of Transportation's permit control will be subject to the Ministry of Transportation's policies, standards and requirements.

- Where lot or unit creation is proposed or where planning approvals are required to facilitate a development of residential or other sensitive land uses in close proximity to provincial highways the submission of a noise impact assessment, to identify appropriate noise mitigation measures, may be required. Where required, such an assessment shall be completed by a qualified consultant; and shall describe noise levels anticipated and mitigation measures needed to achieve provincial standards for indoor noise levels.
- A transportation study otherwise known as a traffic impact study may be required to address both the impact of new development on the provincial highway system, as well as any associated highway improvements that are required prior to approval of the development. Entrances serving home occupations, industry or businesses located adjacent to the provincial highways require the approval of 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.
- Outdoor storage and loading areas in the vicinity of a provincial highway must be visually screened or appropriately located so as not be visible to the travelling public.
- The Ministry of Transportation's policy is one highway entrance for one lot of record. Back lot development cannot use another entrance for access to a provincial highway.

- Any new proposed access connection onto a provincial highway shall meet the Ministry of Transportation's access management practices and principles.
- Any proposals for snowmobile or trail crossings of provincial highways will require the prior approval of the Ministry of Transportation. Trails running along the right of way of a provincial highway are not permitted.
- A drainage/storm water management report shall be prepared by the proponent; and reviewed and approved by the Ministry of Transportation for development located adjacent to or in the vicinity of a provincial highway whose drainage would impact the highway and/or downstream properties via the highway right of way.
- For highway safety reasons wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.
- All proposed development within 150 metres of a Provincial Highway right of way may be required to undertake noise studies consistent with the requirements of the Ministry of Transportation and/or the MECP and shall implement the findings of such studies.
- In addition, all new development will be subject to the geometric, setback, frontage, and safety requirements of the Ministry of Transportation.
- Only those lands that are compatible with the operation of a patrol yard will be permitted to locate adjacent to, and in close proximity to, the patrol yard located on Highway 527 in Mining Location 1, Savigny's Survey in MacGregor Township; the patrol yard located on Highway 11/17 in the NE Section 6/SE Section 5, concession 3 in McTavish Township; and the former patrol yard located on Highway 587 in the SW Section 11, Concession 7 in McTavish Township. 

3.14 Municipal Roads, Dedicated Parklands, and Parks

- The Municipality will promote itself as a healthy, active, connected community for residents and visitors by;
 - Planning public roads, spaces and facilities to be safe and accessible, to meet the needs of drivers and pedestrians, and to facilitate active transportation, including but not limited to walking and cycling;
 - Providing a full range of equitably-distributed publicly-accessible built and natural

setting for recreation, including facilities, parklands, open space areas, trails and where practical, water-based resources;

- Providing opportunities for public access to shorelines; and,
- Considering the impact of planning decisions on provincial and municipal parks, conservation reserves, and conservation areas.

3.14.1 Municipal Roads

- The Municipality currently maintains approximately 125 kilometres of public road. In addition, there are several existing and accepted private road arrangements including the Lambert Island bridge, the various cottage associations, Isku Park, portions of Cedar Bay Road, White Birch Beach Road, and Pine Drive. One condominium road also exists within the Municipality and additional condominium roads may be considered within planning approvals.
- The Municipality also holds title to a variety of road allowances, including road allowances leading to water. The Municipality intends to preserve and protect its ownership of road allowances leading to the water's edge or any other shared resource (e.g., Crown Land), and will not dispose of such road allowances.
- It is the policy of the Municipality that new development shall typically be expected to have direct and practical access to a travelled, publicly opened and maintained road or a condominium road contained in an approved condominium development. Notwithstanding, development may occur on existing private roads that are noted above; and additional private roads may be considered where supporting resource based or other economic development initiatives and where a new municipal road is not practical, and where it has been demonstrated that a legal basis for access has been arranged and where construction standards are such that the private road is capable of supporting public emergency vehicles.
- Generally new road construction will not be permitted unless it offers the opportunity for advancement of the efficiency of maintenance of the existing road network and facilitates economic development.
- Existing road should be utilized wherever possible before new infrastructure is proposed.
- The Municipality must follow the requirements of the Municipal Engineers Association Class Environmental Assessment prior to the undertaking of any works related to municipal roads.

3.14.2 Dedicated Parklands and Parks

- The Municipality is committed to creating a Recreation Master Plan which is meant to guide recreational service provision including parklands and open space.

3.14.3 Municipal Parks

- The Municipality currently it holds title to several parklands that were dedicated through the planning process, and it is the policy of the Municipality to retain such parklands, and not to dispose of them. They are shown designated as Environmental Protection Lands on Schedule A – Land Us and on Schedule B – Constraints Map.
- The Municipality may also agree to accept new parkland dedication from time to time or elect instead to accept cash in lieu and to manage such cash contributions in accordance with the requirements of the Planning Act. (see section XXXXX Implementation)
- Parkland dedication that supports the Tourism Strategy, Recreational Master Plan and/or connection of trail/recreational lands will be encouraged.
- New public and private recreational opportunities shall not place an undue financial burden on the Municipality.
- Small scale commercial uses which are ancillary to and support the permitted recreational and open space uses may also be permitted.
- Provincial Parks and Conservation Reserves/Areas include:

Municipal and Private Parks include:

3.15 Wastewater and Protection of Water Resources

- The Municipality will promote efficient and sustainable use of water resources and water conservation.
- The Municipality will work toward watershed-based land use planning.
- The Municipality will seek to protect, improve, and restore the quality and quantity of water through development standards to protect designated vulnerable areas and/or sensitive surface and/or ground water features and their hydrological function.

3.15.1 Wastewater

- The Municipality acknowledges that private, on-site sewage systems, typically involving a Class IV leaching system will be the primary means of sewage treatment and disposal, in accordance with the Ontario Building Code (OBC), where there is sufficient treatment capacity. All new proposed lots shall be shown to be capable of supporting a Class IV leaching system or be justified by a servicing option statement for an alternative sewage servicing system approved by the MECP or TBDHU and installed by a qualified operator.
- Partial servicing involving piped water and private individual sewage systems is not a preferred option of Ontario or of the Municipality; and would only be permitted to address a failed sewage or water service in an existing development situation where well water fails to meet Ontario drinking water standards and/or justified by a site-specific servicing options statement. The Master Wastewater and Water Servicing Plan, 2017 (MWWSP) should be referenced. In waterfront residential, commercial, industrial and institutional situations, partial services involving piped water may be permitted where justified by a servicing options statement.
- To reduce contamination to water resources, pit privies and any OBC Class 1 sewage systems that are not self-contained are not permitted anywhere in the municipality. Alternative sewage systems that are not compliant with the OBC are not permitted anywhere in the municipality.
- Self-contained OBC Class 1 septic systems such as vault toilets, self-contained chemical toilets and self-contained composting toilets are permitted in existing dwellings where Class IV is not possible, in accordance with MECP or TBDHU. However, these dwellings will be identified in the Comprehensive Zoning By-law as legal non-conforming to prevent any development resulting in increased sewage production.
- Properties with sewage systems that are not in compliance with OBC, operational and/or functioning properly, will be required to upgrade in accordance with the MECP or TBDHU before any development approvals are issued.
- In the high-density areas, holding tank and septic tank pump-out may be required for the protection of water resources; in particular, drinking water source(s).
- To improve the potential for safe servicing by increasing setbacks between water and wastewater, all sites within Associations that are in the high-density area are encouraged to merge with adjacent sites when purchased by the same owner.

- If there is widespread failure of septic systems, user-pay communal systems may be necessary, in accordance with the MWWSP. The MWWSP has indicated there has been no report of failure, but that no monitoring has taken place. The areas set aside for communal systems delineated in the MWWSP are shown on Schedule B - Constraints Map; and shall be protected from permanent development.
- Only structures that do not require a building permit such as a temporary for cover for a single vehicle; and uses which facilitate or will not impede construction of communal servicing may be permitted. A site visit will be required by staff to establish the site-specific location for such uses. The communal system protection area shall be implemented through zoning.
- Additional resources include: Fact Sheet: Provincial Policy Statement, 2005: Reserve Sewage System Capacity for Hauled Sewage
- D-5-4 Technical Guideline for Individual On-site Sewage Systems: Water
- Quality Impact Risk Assessment
- D-5-3 Servicing Options Statements

3.15.2 Protection of Water Resources

Drinking Water

- Potable and domestic water in Shuniah is obtained exclusively from private individual wells and surface water drawn from lake sources. It shall be a condition of new lot approvals that a minimum quantity of 18 litres per minute for a one-hour period and water quality meeting Ontario drinking water standards be demonstrated for well water sources. Where such a volume is not readily available from a well, the proponent may have a report prepared by a qualified person detailing how the standard can be achieved. Lake water will be required to be treated prior to consumption in accordance with MECP procedures.
- To reduce risk to health and safety, in high density areas that have sewage disposal systems in compliance with the Ontario Building Code and Municipal requirements, water monitoring results must meet Ontario drinking water standards before Building Permits are issued.
- If wide-spread contamination is identified in the future in the high-density areas, user-pay servicing upgrades and/or communal services may be necessary in accordance with the MWWSP.

- Additional Resources include:
- D-5-5 Technical Guideline for Private Wells: Water Supply Assessment

3.15.3 Stormwater Management

- All new applications for commercial, industrial and institutional developments applications shall include stormwater management plans intended to minimize contamination, prevent loss of life, minimize community disruption and property damage, and maintain and enhance surface and ground water resources.
- Stormwater management plans shall include but not be limited to, landscaping and planting which will be implemented through Site Plan approval and/or other tools, as needed.

3.15.4 Flood Risk Management

- See Section XXXX Environmental Protection Lands
- Additional resources include:
- Understanding Stormwater Management: An Introduction to Stormwater Management Planning and Design available at <http://www.ontario.ca/environment-and-energy/understanding-stormwater-management-introduction-stormwater-management>
- Stormwater Management Planning And Design Manual 2003 available at
- <http://www.ontario.ca/environment-and-energy/stormwater-management-planning-and-design-manual>
- Stormwater Pollution Prevention Handbook 2001 available at <https://archive.org/details/std01076383.ome>

3.15.5 Source Water Protection

- A portion of the intake protection zones (IPZ) for the City of Thunder Bay Bare Point water intake and treatment plant extends into the Municipality of Shuniah and is shown on Schedule B - Constraints Map as IPZ 1 and 2.

- Intake Protection Zone 1 (IPZ 1) consists of Lake Superior, undeveloped shoreline, and includes the Bare Point Water Treatment Plant. It represents a one-kilometre radius around the intake pipes.
- Intake Protection Zone 2 (IPZ 2) encompasses a portion of the Municipality of Shuniah and the City of Thunder Bay, including residential properties, a former paper recycling facility, a hydro transformer station and a railway track. Much of IPZ 2 currently consists of undeveloped land.
- No significant or moderate threats have been identified for Municipality of Shuniah.
- The Municipality may require any new development adjacent to the IPZs to demonstrate that there would be no negative impact upon the City of Thunder Bay's water supply. To assist with this determination, the Municipality: a) shall consult with the City of Thunder Bay regarding planning approvals required adjacent to the intake protection zones; and, b) may utilize a holding zone designation as a means of implementing this requirement. 🧑

3.16 Climate Change, Energy, and Air Quality

- The Municipality shall, as much as possible, support energy efficiency and improvement of air quality through land use and development patterns which;
 - promote compact form and a structure of nodes and corridors
 - promote the use of public or other alternative transportation modes
 - focus major employment, commercial, and other travel-intensive land uses on sites which are well serviced by public or other means of transportation modes or have the capability to be serviced in the future
 - shorten commute distances between employment and housing land uses
 - promote design and orientation which maximizes the use of alternative or renewable energy such as solar and wind energy and the mitigating effects of vegetation.
- It is the intent of Council to encourage opportunities and projects that foster alternative or renewable energy initiatives, including testing and development, both as a source of individual power service and as a commercial undertaking, and to encourage access to transportation and distribution systems for energy initiatives.


- Alternative energy systems and renewable energy systems as defined in the Provincial Policy Statement may be permitted in accordance with provincial and federal requirements, notably the Green Energy and Green Economy Act. In rural areas, these systems should be designed and constructed to minimize impacts on agricultural operations. The Green Energy and Green Economy Act does not affect the application of the Ontario Building Code or the responsibility to obtain a permit.
- It should be noted that the Green Energy and Green Economy Act, while exempting renewable energy projects from certain Planning Act approvals, does not affect the land division requirements of the Planning Act. Renewable Energy projects are subject to a Renewable Energy Approval (REA) which is intended to replace multiple approvals (Planning Act, Environmental Assessment Act, Environmental Protection Act).
- Larger scale alternative energy power generation initiatives (wind facilities over 3 kilowatts and ground mounted solar facilities over 10 kilowatts may be considered subject to the Renewal Energy Approval Process requirements of the Green Energy and Green Economy Act.
- Individual use of alternative energy supply through wind turbine or solar facilities (wind facilities of 3 kilowatts or less and solar facilities of 10 kilowatts or less) will be permitted in all areas.
- The Municipality will look for opportunities to promote and practice energy conservation, including consideration of initiatives in the annual capital budget which implement or accomplish such.

3.17 Gas Transmission and Storage Facilities

3.17.1 Natural Gas Transmission

- TransCanada Pipelines Limited operates high pressure natural gas pipeline within the Municipality as shown on the official plan schedules. Any development within 200 metres of TransCanada's right of way or facilities may affect the safety and/or integrity of the pipeline.
- TransCanada Pipeline is regulated by the National Energy Board which, in addition to TransCanada, has various requirements regulating development in proximity to pipelines. These include approval requirements for activities on or within 30 metres of the right of way (such as excavation, blasting, or the movement of heavy

equipment). New development can result in increasing the population density in the area that may result in TransCanada Pipeline having to meet alternative regulations.

- The Municipality shall therefore require early consultation with TransCanada or its designated representatives for any development proposals within 200 metres of the right of way or of any facilities.
- A setback of seven metres shall be maintained from the limits of any TransCanada right of way for all permanent buildings, structures, or excavations. Reductions will only be considered if it can be demonstrated to TransCanada that the activities or feature will not compromise the safety or integrity of the pipeline or facility. 

3.17.2 Propane Storage

- Propane must be stored in accordance with the provincial Technical Safety Standards Association (TSSA) guidelines, Fire Code, and Propane Storage and Handling regulation.

3.18 Recreational Cannabis Retail Outlets

Recreational cannabis retail outlets are legal in Ontario and regulated by the Province. The Municipality has no authority in selecting locations.

However, recreational cannabis outlets are encouraged to locate in the commercial zones, in accordance with development standards and the other policies of this plan; and with adequate separation distances from each other and from locations where youth may congregate.

3.19 Commercial Development

- The intent of the Commercial policy is to recognize existing commercial development; and to create opportunity for economic development and the provision of regional, local, tourist and highway amenities in compatible locations across the municipality.
- Commercial development must be compatible with existing uses; and will be permitted through zoning and site plan control to ensure adequate access, parking, landscaping, buffering, setbacks, storm water management and implementation of any other mitigation measures.

- All commercial uses must be serviced by individual on-site water and sewage in accordance with sections XXXXXX, unless justified through a servicing options statement.
- The planning justification for new commercial development shall include:
 - a groundwater impact assessment or hydrogeological studies to determine the susceptibility of groundwater to contamination from sewage effluent; the ability of the site to treat sewage effluent to acceptable standards; the adequacy of groundwater, in terms of both quality and quantity, to service the proposed development; and the potential for interference with the water supplies of neighbouring properties;
- a market impact study evaluating the economic feasibility given demographic and market trends
- evaluation of noise, vibration, dust and other emissions in accordance with section XXXXX;
- storm water management plan in accordance with section XXXXX; and,
- any other site-specific studies required by the policies of this plan.
 - Expansion, redevelopment or new development of commercial uses that are located on a Provincial Highway shall be subject to, among other things access regulations and practices of the Ministry of Transportation (see section XXXX Provincial Highways).
- New commercial development shall, wherever possible, make use of municipal roads rather than Provincial Highway for access.

Regional Commercial Development

- Larger-scale commercial developments capable of serving the region that cannot be accommodated in Thunder Bay and are compatible with existing development, are encouraged to locate at multi-purpose nodes including the intersections of Trans-Canada Highway 11/17 with Highways 527 and 587; and at the intersection of Lakeshore Drive with Highway 11/17.
- Such uses may include automotive sales and service establishments, accommodation facilities, eating establishments, transport and transportation services, building materials and nursery supplies establishments, warehousing, trades, custom workshops, and enterprises involving wholesaling or some processing which requires large parcels of land.

3.19.1 Highway Commercial Development

- Highway Commercial use provides goods and services that support automotive and highway uses, including for the travelling public. Such commercial development relies upon the use of the highway or its traffic or upon a natural resource; or requires large parcels of land. Existing highway commercial activity is focussed at the intersection highway 11/17 and Highways 527 and 587, and along Lakeshore Drive east of the Mackenzie River.
- Such uses may include automotive sales and service establishments, accommodation facilities, eating establishments, transport and transportation services, building materials and nursery supplies establishments, warehousing, trades, custom workshops, convenience shops, personal service shops, and enterprises involving wholesaling or some processing which requires large parcels of land.

3.19.2 Local Commercial Development

- Within areas that are dominated by residential development, a local commercial use may be permitted such as a convenience store, post office, restaurant, rental office space and similar scale local commercial uses which meet the day to day needs of primarily local residents. They are encouraged to locate in hub areas.

3.19.3 Tourist Commercial Development

- Tourism has the potential to contribute significantly to the local economy; and as such, the Municipality is committed to developing a tourism strategy.
- The objective of the tourism strategy is to formulate developmental framework with emphasis on policy and strategy, planning, institutional strengthening, legislation and regulation, product development and diversification, marketing and promotion, tourism infrastructure and superstructure, economic impact of tourism and tourism investment, human resource development, and socio-cultural and environmental impacts of tourism.
- When complete, the tourism strategy should be referred to in addition to these policies.
- Tourist commercial uses include activities that focus on attracting and retaining visitors on a year-round basis for economic gain such as campgrounds, lodges, resort hotels, marinas, ski centres, off-road biking and hiking trails, and recreational facilities.

- Tourist commercial uses are permitted where compatible, and in association with an attraction or resource. Examples of an attraction or resource include, but are not limited to a lake, mountain, forest, regional commercial use.
- Tourist commercial uses shall not detract from the public's enjoyment of the area.

3.20 Institutional Development

- Institutional development is important to establishing healthy, strong communities; and such institutional uses are permitted where compatible. Examples of institutional uses include places of worship, community gathering areas, day care centres, group homes, libraries, schools, assisted living and retirement facilities, public recreation facilities.
- Due to its central location relative to the Municipality's population, the MacGregor Recreation Centre lands shall be the preferred location for a future hub featuring co-location of public service facilities and related commercial or institutional uses.
- All institutional uses must be serviced by individual on-site water and sewage in accordance with sections XXXXXX, unless justified in a servicing options statement.
- All institutional uses shall have frontage on a publicly maintained road or road owned by the Municipality used through a road maintenance agreement
- Expansion, redevelopment or new development of Institutional uses that are located on a Provincial Highway shall be subject to, among other things access regulations and practices of the Ministry of Transportation (see section XXXX Provincial Highways).
- The planning justification for new institutional development shall include:
 - a groundwater impact assessment or hydrogeological studies to determine the susceptibility of groundwater to contamination from sewage effluent;
 - the ability of the site to treat sewage effluent to acceptable standards;
 - the adequacy of groundwater, in terms of both quality and quantity, to service the proposed development and the potential for interference with the water supplies of neighbouring properties;
 - a storm water management plan;
 - evaluation of noise, vibration, dust and other emissions in accordance with **section**

XXXXX;

- feasibility given demographic trends; and,
- any other site-specific studies required by the policies of this plan.

Compatible institutional development will be permitted through zoning and Site Plan Control to ensure adequate access, parking, landscaping, buffering, setbacks, safety features such as lighting and walkways, barrier-free access, storm water management and implementation of any mitigation measures.

3.21 Industrial Development

- The Municipality encourages the growth and development of industrial uses consistent with the natural resource base and rural character of the municipality. Large tracts of land are available with excellent highway access and no adjacent incompatible uses.
- Industrial uses are permitted where compatible.
- All industrial uses must be serviced by individual on-site water and sewage in accordance with sections XXXXXX.
- All industrial uses shall have frontage on a publicly maintained road or road owned by the Municipality used through a road maintenance agreement. Where possible, access should be obtained from a municipal road rather than a highway.
- Expansion, redevelopment or new development of industrial uses that are located on a Provincial Highway shall be subject to, among other things access regulations and practices of the Ministry of Transportation (see section XXXX Provincial Highways).
- The planning justification for new industrial development shall include:
 - A study in accordance with the MECP D-series Guideline (see Section XXXX), which fully describes the industrial process and the impacts which will be generated (e.g., noise, vibration, odour, dust, other emissions) and identifies the mitigation measures (e.g., separation distances or other measures) that will be implemented to avoid any off-site adverse effects;
 - a groundwater impact assessment or hydrogeological studies to determine the susceptibility of groundwater to contamination from sewage effluent; the ability of the site to treat sewage effluent to acceptable standards; the adequacy of

groundwater, in terms of both quality and quantity, to service the proposed development; and the potential for interference with the water supplies of neighbouring properties;

- storm water management plan; and,
- feasibility given demographic trends.
- Compatible institutional development will be permitted through zoning and Site Plan Control to ensure adequate access, parking, landscaping, buffering, setbacks, safety features such as lighting and walkways, barrier-free access, storm water management and implementation of any mitigation measures.
- Permits, approvals or licenses shall be obtained for all industrial uses, when required, for any air emissions, water takings, and water and sewage services, etc.

3.22 Noise, Vibration and Other Emissions

- Noise is one of the most common negative impacts experienced by sensitive land uses in Shuniah, and is generated by sources such as highway traffic, railways, and some commercial/industrial activity.
- Sensitive land means buildings, amenity areas, or outdoor spaces where routine or normal activity occurs at reasonably expected times and which would experience one or more adverse effects from nearby sources of noise, vibration or other emissions. Sensitive land may be a part of the natural or built environment such as residences, institutional uses or some commercial uses such as offices.
- Noise/Vibration or other emission attenuation may be required for new sensitive uses which may be impacted by existing industrial, vehicular, railway, aircraft or other activity. A noise study evaluating and recommending how acceptable levels of noise may be achieved may be required as part of the planning justification.
- Where noise studies are required and related works are recommended; and where the size of the subject land being developed or the project involved is large, the study and any related works shall apply only to the lands where sensitive uses are located.
- The following policies shall apply where new development is proposed in close proximity to a railway corridor, railway yard or a Provincial highway:

3.22.1 Proposed Commercial, Institutional, or Industrial development

- Where planning approvals are required to allow any new development that does not involve a sensitive land use, a minimum 30 metre setback shall be maintained from the limit of any railway right of way that is not a spur line, in addition to a 1.5 metre-high earth berm. Where such an earth berm cannot be provided, a minimum of 120 metre setback shall be provided and maintained
- Where planning approval is required to allow a new light industrial development adjacent to a rail corridor or rail yard, a minimum 15 metre setback shall be required to be provided and maintained from the limit of the right of way, in addition to a 1.5 metre earth berm. Where an earth berm cannot be provided, a minimum setback of 60 metres shall be provided and maintained. 🧑

3.22.2 Proposals for Residential or Other Sensitive Land Uses

- Where planning approvals for new development involve a sensitive land use within 100 m, the applicant shall undertake a noise/vibration and emission study to be submitted as part of a complete application, in accordance with the MECP D-series Guidelines. 🧑


3.22.3 Safety Measures

- Appropriate safety measures (setbacks, fencing) may be required to be provided in association with any development proposal adjacent to a railway. 🧑

3.22.4 Industrial Facilities and Sensitive Land Uses

- Proponents of industrial development or a sensitive use in proximity to an existing industrial development shall provide supporting technical studies as part of the *planning justification*, to assist in the evaluation of proposed developments and, where applicable, to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures.
- Separation distances between potentially conflicting land uses shall be measured in accordance with MECP Guidelines. The following minimum separation distances shall apply between industrial uses and residential or other sensitive land uses:
 - Class I Industries: 20 m
 - Class II Industries: 70 m
 - Class III Industries: 300 m
- No studies are required if the following separation distances between industrial uses and residential or other sensitive land uses reflect the following potential

influence areas:

- Class I Industries: 70 m
- Class II Industries: 300 m
- Class III Industries: 1 000 m
- Proponents shall be required to provide buffering measures such as landscaping, plantings, and fencing to minimize the impact of the industrial activity, including visual appearance. 

3.22.5 Additional Resources:

- D-1 Land Use Compatibility, D-1-1 Procedures for Implementation, D-1-2 Specific Applications, D-1-3 Definitions
- D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses, D-6-1 Industrial Categorization Criteria, D-6-3 Separation Distances, D-6-4 MCCR Bulletin No. 91003 “Environmental Warnings/Restrictions”
- These are available at <http://www.ontario.ca/environment-and-energy/environmental-land-use-planning-guides>
- NPC-300: Environmental Noise Assessment Guideline – Stationary and Transportation Sources – approval and Planning (Note updated August 2013)
- <http://www.ontario.ca/environment-and-energy/environmental-noise-guideline-stationary-and-transportation-sources-approval>

4 IMPLEMENTATION

4.1 Intent

- It is the intent of this Section to articulate and describe typical planning powers that are available to the Municipality for planning purposes, and to set out and describe related policies.

4.2 Lot Creation

Consent

The current size and character of the Municipality and the current level of economic activity supports lot creation through the consent process as provided for under Section 53 of the Planning Act. Consent will be considered subject to the following:

- the number of new residential lots to be created by consent for a parcel of land existing under unity of ownership at January 15th, 1979 shall not exceed three new lots and a residual lot, except for the purposes of lot adjustment, lot enlargement, or other such consideration that does not result in the creation of a new buildable lot, including converting Association sites to lots in accordance with the policies of this plan;
- where a severance involves lands that function as part of a public road, the Municipality may, as a condition of approval, require that such lands be identified and surveyed and transferred to the Municipality;
- where a lot is proposed to be created on a road for which the road allowance has not been dedicated to the roads authority, the Municipality may ask that the relevant portion of the road allowance be dedicated as a condition of any severance. Where a building permit is being sought for a parcel for which no other planning approval is required, and where the road allowance has not been dedicated to the roads authority, a setback of 10 metres from the centre line of the existing travelled road shall be added to the minimum required yard;
- the retained and the newly created lot(s) shall have practical and useable frontage on a travelled and publicly maintained public road, or an approved condominium or association or designated private road, or involve mining, aggregate/quarry processing/extraction, or tourist commercial development where the Municipality determines that a public road may not be needed;
- the creation of a new lot is generally compatible with the surrounding lot fabric; and does not result in adverse effect or negative impact upon abutting or nearby lands or land uses in accordance with the policies of this plan;
- each proposed lot in the Residential designation shall have a 45 m frontage and be 1 ha in size or 0.8 ha if fronting on water. All frontage and area must be on dry land in the case of water lots;
- in the Residential designation any proposed lot that is less than 1 ha for properties not fronting on a lake; or waterfront properties less than 0.8 ha (including only the dry land where a water lot exists), a hydrogeological study or the TBDHU must confirm that private, on-site drinking water and class IV septic can be supported, in addition to meeting the other policies of this official plan. It must also have practical space so as to accommodate the main use and related accessory uses, including on-site parking and vehicular movement, loading, landscaping, and

amenity area, as well as established yard requirements;

- each proposed lot in the Rural designation will generally have 45 m frontage and be 4 ha in size;
- in all severances, proof of installed and functioning sewage system from the TBDHU shall be supplied for both the retained and severed portion(s).
- in all severances where there is no pre-existing system, MECP or TBDHU must provide documentation that each severed portion is capable of supporting a private, individual, on-site sewage system. There must be sufficient municipal treatment capacity for hauled sewage;
- in all severances, newly created residential lots shall be required to demonstrate the capacity for a water supply delivering not less than 18 litres per minute over a minimum period of one hour; and showing adequate water quality in accordance with Ontario's drinking water standards. Storage of water and use of a surface water source may be permitted. Where a surface water source is used, treatment consistent with MECP standards will be required;
- other conditions of approval may include conveyance of shoreline road allowance or beach or waterfront to Municipal ownership in accordance with objectives and policies of this plan which relate to shoreline access, community connectivity, and economic development;
- where feasible, public access points and trail connections shall be a condition of new development.

4.3 Non-Conforming Use

Non-conforming uses of land or buildings shall, in the long term, cease to exist. In the short term, where such uses do not cause adverse impacts to abutting lands, or result in inconformity with surrounding land uses, such use may be recognized in existing zoning, and may be allowed minor expansion.

Non-conforming uses shall not be allowed major expansion that has the effect of increasing the likelihood of the use remaining on the lands for the long term, or of bringing about or increasing adverse impact or incompatibility.

Where a non-conforming use ceases to be an active use for more than three years, such use shall be considered to have been abandoned, unless extenuating circumstances can be demonstrated, and thereafter, any future use of the lands


and/or building shall be compliant with the zoning by-law.

Notwithstanding the long-term intent, a legal non-conforming use is acknowledged to be protected by the Planning Act and may continue to be used in the same manner and for the same purpose.

A legal non-conforming use may be maintained, repaired, or restored to a safe condition.




4.4 **Pre-Consultation and Complete Application Requirements**

- The Planning Act requires that a planning application include certain prescribed information as set out in Planning Act regulation, including information on the application and supporting studies and/or reports, and any related fee.
- Having all relevant information and material (i.e., planning justification) pertaining to a particular planning application available early in the planning process is essential to making good land use decisions within the timeframe provided by the Planning Act by providing opportunities to resolve potential differences prior to Council's consideration of the matter. 

4.4.1 **Pre-Consultation**

- Prior to the submission of an application for an Official Plan Amendment, Zoning By-law Amendment, draft Plan of Subdivision or Condominium and/or a Site Plan approval, applicants are required to pre-consult with Municipal staff and complete the application checklist to determine as accurately as possible which, if any, supporting technical studies or information is required as part of the application and *planning justification* report. It is likely that a site visit will also be necessary to understand the physical landscape and what the applicant is proposing. **(NOTE: Council should pass Pre-consultation by-law if in favour of the Pre-consultation policy).**

4.4.2 **Complete Application**

- Upon receipt of a draft planning application including the studies and mandatory Planning Justification Report, the Municipality shall determine if the required information has been provided, and whether or not the application is complete. Where the application is considered to be complete the applicant shall be so advised in accordance with the Planning Act. Where an application is not considered to be complete, the applicant shall be advised of such status and of the matters lacking in the application. 

4.4.3 Studies

- In addition to the prescribed information under the Planning Act, the supporting studies required by the Municipality to constitute a complete application may include a preliminary assessment (to determine if an Environmental Impact Study is required), Environmental Impact Study, Ecological Land Classification (to determine if a wetland is Provincially or Locally Significant), Wildlife Habitat Assessment, Fish Habitat Assessment, Hydrogeological Study, Servicing Options Statement, Archaeological Assessment, Cultural Heritage Impact Assessment, Minimum Distance Separation calculation, Septic and Well Water Capacity Assessment, Slope Stability Study, Traffic Impact Study, Noise Impact Study, Vibration Study, Slope Stability Study, Engineering Study, Environmental Site Assessment, Record of Site Condition, Market/economic Impact or Feasibility Study, Wildlands Fire Assessment, Mine Hazard Evaluation, Stormwater Management Study, and/or Lakeshore Capacity Assessment.
- The triggers for these are captured in the General Policies of this official plan or are contained in the application checklist.


4.4.4 Peer Review

- Where a study is required, the study shall be completed by a qualified professional and such study may be subject to a peer review due to a small, generalized Municipal Staff.
- The cost of any study or peer review or the requirement for any information shall be at the sole cost of the applicant.


4.5 Public Engagement and Notification Policies

- The Municipality will follow the public notification procedures regarding planning matters that are contained in the Planning Act and its regulations.
- Where mailed information notices concerning a Planning Act application are distributed to abutting property owners, the names and addresses as described in the latest, revised property assessment rolls will be used for notification.
- In addition, the Municipality will use the following mechanisms to promote public participation and informed decision-making:
- the placing of signage on properties undergoing a planning approval process, (e.g., Official Plan amendment, Plan of subdivision, Zoning By-law amendment,

Committee of Adjustment application); and

- any other means that the Municipality deems appropriate including electronic communications. 

4.6 Parkland Dedication

- The Municipality may require land to be conveyed for park or other recreation purposes as a condition of a planning approval for or a severance; or may in the alternative require a cash payment in lieu of parkland.
- Such parkland shall not exceed 2% of the total land area for commercial industrial development or 5% in the case of residential development.
- Where a development includes low lying, poorly drained lands, wetlands or other such lands that would be difficult to build upon or to use, such lands may be accepted by the Municipality or offered by the developer, but do not have to be considered by the Municipality as the required parkland dedication.
- Where cash is accepted in lieu of land, the Municipality shall place such funds in a specific dedicated account as provided for in the Planning Act and shall use such funds for park or recreation purposes in accordance with the stipulations of the Planning Act. 
- Also see Section XXXXXXXX.

4.7 Zoning By-law

- The Municipality shall, upon approval of this official plan, ensure that the comprehensive zoning by-law is updated and brought into full and complete conformity with, and implements this plan.
- The Municipality may, in the comprehensive zoning by-law, zone lands into a Special Purpose Zone so as to provide site specific zoning recognition to a particular use of land, with consideration that such land use be a benefit to the community; and may provide such regulations as considered to be appropriate to such use.
- Amendments to the comprehensive zoning by-law may be considered for changes that are in conformity with this official plan or changes that would be in conformity with this official plan, and that are determined by Council to be desirable and good planning.

- The Municipality may use conditional zoning in accordance with section 34(16) of the Planning Act including requiring that notice registered on title in in order to implement the policies of this plan once provincial enacting regulations are in place.

4.8 Holding Zone

- Council may make use of Holding Zone provisions as provided for under Section 36 of the Planning Act in order to establish zoning regulation prior to the completion of required technical, administrative, or financial aspects of a development. The Municipality may use a holding symbol (H) in conjunction with any land use zoning designation in the comprehensive zoning by-law so as to specify the use or uses to which lands may be put at some time in the future, but which are considered premature or inappropriate for immediate development for use use(s).
- A Holding symbol shall not be applied to establish a particular zone or use where issues that are fundamental to the feasibility of the proposed land use have not yet been resolved.
- Any lands within the Municipality may be zoned to include a Holding zone and related provisions.
- The Holding symbol may be used to:
 - identify the future intended use of lands;
 - stage or phase development consistent with current subdivision agreements or the current level of servicing;
 - Where development is contingent upon other matters occurring such as the consolidation of land or the installation of infrastructure or services;
 - Allow for the execution of a site plan agreement, subdivision agreement, and/or development agreement;
 - to ensure that site contamination has been addressed prior to development where site remediation requirements are known or suspected to be necessary; and/or,
 - ensure that archaeological studies or other technical studies or reports have been undertaken and completed to the satisfaction of the appropriate review agency.
- The use of lands subject to a Holding symbol, until it is removed, shall be limited to uses existing at the date of passing of the Holding by-law, and any additional uses

specified by Council in the by-law.

- The Holding symbol may be removed from all or from a part of the property to which it has been applied once an applicant satisfies the Municipality that all of the matters relating to the placement of the Holding symbol have been appropriately addressed.

4.9 Temporary Use By-law

- Council may enact a by-law to permit a temporary use of land, building, and/or structures for a use that may otherwise be prohibited in the zoning by-law, whether such use is in conformity with this official plan, or not without the need to amend this official plan.
- Such a by-law may be considered where:
 - The intended use is to exist only for a short period of time;
 - The use is to be monitored prior to being considered as a possible permanent use;
 - The use of an existing building is being accommodated in conjunction with a planned development for a new use that is consistent with this official plan;
 - The use is intended to exist pending the outcome of a study or the expansion of infrastructure or services; or
 - The use involves a garden suite.
- Council may establish a temporary zoning to allow an applicant to consider a *home occupation* in order to determine if a market exists prior to establishing a full zoning, or to explore the possibility that adverse effects may arise, and to facilitate remedial measures in a future full zoning.
 - Prior to enacting a Temporary Zoning, Council shall establish that:
 - The lands can accommodate the intended use and any related accessory buildings, structures, or activity;
 - Appropriate and safe means of water supply and sewage disposal are available or are to be provided; and,
 - The use will not prejudice future development or redevelopment of the lands or of the surrounding area.
 - Such a By-law shall define that lands to which it shall apply; set out a appropriate regulations for the intended use; and establish an expiry dated, which shall not be

greater than three years from the passing of the date that the By-law was passed, except for a garden suite which may be up to twenty years.

- Council may extend a Temporary Use By-law provided that such extension would not jeopardize the long-term development potential for the lands or for the surrounding area.
- Where a Temporary Use By-law has expired, the use of land, buildings, and/or structures permitted in the Temporary Use By-law shall cease and the previously relevant zoning provisions and uses shall prevail and govern the future use of the property.

4.10 Site Plan Control

- Site plan control will apply to the entire geographical area of the municipality.
- Site plan control agreements may be entered into in order to achieve the following:
 - To obtain drawings of buildings and property layouts, including elevations, plot plans, parking, layout and the layout of driveways and aisleways, landscaping, lighting, retainer walls, signs, and to ensure that such features are properly designed and constructed. In addition, agreements may be required to outline details of the property with respect to drainage and the management of snow and snow removal;
 - to ensure that matters such as storm drainage, snow storage and removal, lighting, landscaping are addressed, and that ongoing maintenance is in place;
 - To ensure that proper traffic provisions and flow are provided;
 - To obtain easements;
 - To identify, protect, and secure lands needed for road widening;
 - To identify details of specific on-site features and to set out requirements relating to them; or,
 - To identify and implement the findings of technical studies needed to support a development.
- The Municipality shall use site plan control for larger development initiatives in any *land use designation* in order to address issues and concerns raised in the planning approvals process.
- Where a site plan control designation is enacted, no building permit shall be issued for new construction unit such time as an appropriate site plan agreement has been entered into.

4.11 Community Improvements

- Council may participate in programs or other activities that have as an objective the improvement of one or more land uses, areas or other features within the Municipality and may partner with other levels of government and/or private interests in order to carry out and achieve the following:
 - a) Improvement of social, recreational, or other such community services and/or facilities;
 - b) Improvement to the physical environment of the community including physical services and facilities, streetscape or the upgrading or rehabilitation of private property;
 - c) Promotion of new employment, new investment, and/or new assessment;
 - d) Implementation of Brownfield considerations;
- Specific objectives in this regard will include:
 - a) Paved surfaces on residential, commercial, and institutional streets;
 - b) Improvements to existing parks, beaches, playgrounds, rest areas, tourism promotion areas, open space areas, or recreation/leisure facilities;
 - c) Upgrade or install lighting, public sewage and/or water services to property owners within residential areas;
 - d) Recover and/or re-utilize contaminated or abandoned industrial or commercial lands.
- Council may also consider any lands within any land use designation as a potential Community Improvement Project Area and may, by by-law, designate all or part of such lands as a Community Improvement Area subject to the requirements of Section 28 of the Planning Act.

4.12 Property Standards By-law

- Council currently has a property standards by-law and has established a property standards committee.
- All properties within the Municipality that are set out in a property standards by-law shall conform to the standards and provisions that are set out in the by-law.
- Council may with such a by-law, enact regulations intended to address:

- a) Structural integrity and/or standards for occupancy;
- b) Maintenance of yards and/or open spaces, and in particular to ensure that such lands are well kept, safe, free of debris and/or unsightly materials, equipment, and that the overall yard is in keeping with the surrounding property character;
- c) The cutting and/or storage of fire wood; and,
- d) Notice requirements, enforcement, and/or administration, including the removal of buildings.

4.13 Tariff of Fees

- Council shall pass a by-law detailing and prescribing a tariff of fees for planning applications which establishes a fair and equitable fee structure based on actual and/or anticipated costs incurred by the Municipality in the processing of applications.
- Council may review and update such costs from time to time and adjust the prescribed fees accordingly.

APPENDIX 1

Background

- The official plan for the Municipality of Shuniah is based upon land use research and recommendations carried out by Manahan Consulting and SDS Freelance Planning; mapping and data from the Lakehead Region Conservation Authority and the following:
 - Canada Census Community Profiles, 2016
 - Master Wastewater and Water Servicing Plan 2017
 - A 2007 report by Chris Southcott assessing Northern Ontario's population -- 2006 Canada Census data
 - Provincial population projections, Ministry of Finance
 - Ontario's Provincial Policy Statement (2014) and Growth Plan for Northern Ontario
 - Municipal building permit records; Committee of Adjustment files and records; and municipal planning files and records
 - The MacKenzie Moraine Study, Manahan Consulting/Norm Bell/Northern Bioscience, 2004
 - MacLaren Mineral Aggregate Study for Thunder Bay, James MacLaren, 1978
 - MNRF aggregate/quarry licenses
 - Cottage conversion Ad Hoc Committee minutes, files and research
 - Planning Ad Hoc Committee 2017-19
 - Ministry of Transportation input relating to Highway 11/17 route alternatives
 - Lakehead Conservation Authority Source Water Protection ongoing planning program
 - Lakehead Conservation Authority land use and property base mapping
 - Various Ontario government land use guidelines including Ministry of Transportation (MTO) Land Use for Planning bulletin and Ministry of Environment, Conservation and Parks (MECP) Guidelines Near Landfill Sites, and MECP Land Use Compatibility Guidelines
 - Community input obtained through public meetings
- In the 1800's the Municipality of Shuniah included the geographic townships of Pardee, Crooks, Blake, Paipoonge, Neebing, McIntyre, and McTavish, the village of Prince Arthur's Landing, Thunder Cape, and certain islands in Lake Superior. A physical reflection of this is the current location of the municipal office which is now within the City of Thunder Bay, but which was once a part of Shuniah. The current Municipality is substantially smaller, encompassing the geographic townships of McTavish and MacGregor, and a small portion of previously unorganized lands, all of

which encompass an area of 569.2 square hectares.

- Shuniah has evolved from a largely recreational and rural, resource-based Municipality to one wherein permanent residential activity is now the predominant land use – much of it being related to retirement residential activity. In this version of the official plan, the Municipality has set aside the historic differentiations of permanent and seasonal or recreational residential land use; and has advanced the concept of a year-round residential community. This is premised upon the growing winter use of what were once recreational lands; past official plan changes that permitted permanent residential use along much of the Lakeshore of Lake Superior, Loon and Sparks Lakes; the fact that the building code and other regulations no longer distinguish between a permanent and a recreational residential building; and difficulties experienced in past attempts at enforcement. Accordingly, residential lands along Lakeshore Drive and within the Rural area, and residential lands along the shoreline of Lake Superior, Bass, Loon, and Sparks Lakes are all designated simply as residential lands with site-specific requirements in the high-density areas to protect health and safety, property values and economic development opportunities. With the advent of home-sharing and companies like Airbnb or Vacation Rental By Owner (VRBO), recognition is given to short-term resource-based, recreational rentals or short-term accommodation.
- The official plan does not identify a settlement area as defined in the Provincial Policy Statement due to the pattern of development in the municipality. But it does consider the residential area of Lakeshore Drive; the developed shoreline of Lake Superior; the developed shoreline of Bass and Loon Lakes, including the communities located at Sparks Lake and Mackenzie Heights as being potential future built-up areas -- containing residential neighbourhoods and potential hubs featuring a variety of mixed uses such as local commercial and institutional activity; minor and major open space and recreation features; a local school and various municipal properties (public works yard, fire stations, community centre); and resource-based recreational development.
- The Municipality commissioned a Master Wastewater and Water Servicing Plan in 2017 to consider future urban level servicing in response to possible environmental concerns in the Lakeshore Drive area and the various developed shorelines. At the time of the study, no septic-related contamination issues had been identified in drinking water wells. The study revealed that urban level servicing costs would be extremely high. Therefore, this plan contains new policies to improve individual on-site servicing to prevent future environmental concerns. If there is failure of such

services after they have been upgraded, communal services outlined in the study may have to be considered. Identification of the entire existing built up area as a settlement area in the future could facilitate the long-term planning and construction of communal or municipal services if required; but is beyond the scope of the current planning horizon.

- Council regards commercial development as having an important role in community economic development in the near future, particularly that which cannot be accommodated within the adjacent City of Thunder bay. Major intersections are an appropriate location for larger-scale developments and mixed-use nodes that can serve the region, if they can be safely serviced and developed in accordance with the other policies of this plan.

Basis for Decision Making

The population growth rate through the last eight consecutive census periods from 1976 to 2016 averages 1.6%, or 0.2% per census period. The last two census periods, 2006-2011 and 2011-2016, showed a decline of 0.6% and an increase of 2.2%, respectively. Specifically, the 2011 population was 2737, increasing by 61 people to a population of 2798 in 2016.

Potential growth scenarios for the purposes of this official plan considered the following:

- A high-growth scenario with passive population growth focussed on retirement residential activity along the shorelines of Lake Superior and of Bass, Loon, and Sparks Lakes, and generative residential growth supported by the expansion of aggregate resource extraction activity relocating from west of the City of Thunder Bay to the MacGregor Road area, driving new and related economic activity and employment. Additional growth may also be supported by alternative energy initiatives in the same area; by tourist- based commercial activity focussing on the Lake Superior Marine Conservation Area; by generally high-quality resource-based recreational development (including residential) associated with lakes which is unavailable in the City of Thunder Bay; and by larger-scale commercial developments serving the region that also cannot be offered in Thunder Bay. A growth rate of 2.2% per census period is representative of this high-growth option; and is also the maximum growth experienced by the Municipality out of the last eight consecutive census periods (i.e., from 2011 to 2016). This equates to approximately 254 people over the 20-year planning horizon of this official plan.

- A medium population growth scenario is premised primarily upon the average population increase throughout the last eight census periods, from 1976 to 2016. The medium growth scenario also takes in account the growth factors above; and considers the fact that the Minister of Finance in Ontario is projecting a population decline in the region over the next 25 years. A growth of 0.8% per census period is considered to be representative of this medium growth option (i.e., 0.2% per census period x four census periods in a 20-year planning horizon). This equates to approximately 91 people over the 20-year planning horizon of this official plan.
- A lower population growth is premised upon a slowing passive residential demand and a future trend wherein retirement residential activity is replaced by a return by retirees to an urban setting closer to health and other required services, along with a projected shrinking regional population. Growth at 0.02% per census period is considered representative of this low-growth option; and equates to approximately two people over the 20-year planning horizon of this official plan.
- These population growth scenarios are also premised upon Shuniah being a participant in the larger Shuniah/City of Thunder Bay/Neebing/Oliver Paipoonge growth hub for northwestern Ontario. Historic census data shows that communities close to larger urban locations have exhibited growth rather than decline; however, again, this is tempered by the Ministry of Finance projection that this census area will experience a 2% decline from 2016-2041.
- Therefore, the medium growth rate has been selected for Shuniah.
- The 2016 Census household size of 2.3 people is likely to decrease over the next 20 years to a household size of 1.6 people, based primarily on the lower household size typical of retirement residential activity. At an average of 2 people per household, there would be need for approximately 46 additional dwelling units within the Municipality over the life of this plan.
- Demolitions have historically averaged 4.3 recreational dwellings and 0.75 permanent dwellings per year (calculated over a 12-year period). If continued at such a rate, would be capable of delivering in the order of 101 building lots within the 20-year planning horizon of this official plan.
- At present, 94% of the occupied dwellings in Shuniah are single detached dwellings according to the Census Canada 2016 community profile. There are few semi-detached or duplex dwellings, no row housing and no apartment buildings in the community, and this is expected to continue to be the trend.

- A 12-year review of building permits shows that 79 new recreational dwellings and 99 new permanent dwellings were constructed, for an average of 14.8 dwellings per year. If demolitions at 4.3 recreational and 0.75 permanent dwellings per year (total of 5.05) were subtracted, there would be approximately 9.75 new dwellings per year; or 195 over a 20-year planning time horizon.
- Potential residential land supply during same period:
- Lots in existing registered plans of subdivision 80
- Lots in draft approved plans of subdivision 35
- Parcels in existing vacant land condominiums 20
- Potential lots in existing shoreline residential official plan designated lands 110
- Potential lots in lands zoned as Community Residential – existing frontage 45
- Potential lots in lands zoned as Community Residential – back lands 120
- Estimated rural vacant lands and severances at current 3 + 1 policy 80
- **TOTAL** 490 LOTS
- This surplus can be reduced by:
- Elimination of back lands in existing Community Residential designation 120
- Elimination of registered plan lots near the Landfill site 10
- **ESTIMATED TOTAL SUPPLY** 360 LOTS
- It is unlikely that all land that could possibly be subdivided would complete the process within the 20-year planning horizon (large properties may be maintained to protect privacy and serenity; owners may wish to continue to hold potential lots for family reasons; absentee land owners may not care to spend money for lands that they have no particular interest in). It is therefore assumed that 15% of the potential lots (54 lots) will not materialize within the 20-year planning horizon.
- Available supply is therefore estimated to be approximately 306 lots; 135 of which are lakeshore lots contained in existing registered or draft approved plans of subdivision.
- With the medium growth scenario, there would be lot surplus of approximately 352

including those made available through demolition. Therefore, the creation of any new lots over the life of this official plan would be for the purpose of satisfying the need for choice among buyers rather than to maintain supply. Accordingly, this official plan contains policies that reduce the potential for significant lot creation.

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APPENDIX 2

Relevant Definitions

Compatibility – in terms of land use, it means an existing or committed land use or activity that can co-exist with a neighbouring use/activity or uses/activities, without either creating or experiencing one or more off-site 'adverse effect(s)'. See MECP D-Series Guidelines.

Freehold - the ownership of real property, or land, and all immovable structures attached to such land, as opposed to a leasehold, in which the property reverts to the owner of the land after the lease period has expired.

Hub - co-location of public service facilities and related commercial or institutional uses in close proximity to residential development.

Land use designation - Geographically described areas that are predominantly committed to or are intended to be committed to a particular set of land use activities, and that are identified as such, and shall include a set of specific goals, objectives and policies that set out in the official plan and that relate to the management and change of land use within such described areas.

Node – an area, usually at an intersection, anchored by commercial and/or institutional development which supports mixed uses.

Planning justification – A report provided by an applicant as part of a complete application under the Planning Act which:

- describes the Site, its existing physical conditions, and its context within the surrounding community;
- outlines the Proposed Application;
- provides an overview of the relevant planning policy and regulations that affect the planning application, including Provincial Policy Statement, Growth Plan for Northern Ontario, the Shuniah Official Plan and any other related policy, regulations and guidelines;
- summarizes each of the technical studies and mitigation measures; and,
- provides planning opinion and justification for the Proposed Application.

- The level of detail for the planning justification shall be appropriate to the complexity or potential impact of the proposal.

Resource-based Recreational Use – activities, including residential, which are related to the use of the resource such as a lake, trails, rivers, mountains.

Rural Character - a state or condition dominated by open space, natural features and ecological functions, and/or traditional rural activities such as farming or natural resource use, where such activity predominates over a built environment.

Rural Land - a term used in this document as a land use designation. It does not have the same meaning as rural areas in Ontario's Provincial Policy Statement.

Sensitive - in terms of land use, it means buildings, amenity areas, or outdoor spaces where routine or normal activity occurs at reasonably expected times and which would experience one or more adverse effects from nearby sources of noise, contaminants or other discharges by nearby properties. Sensitive lands may be a part of the natural or built environment such as residences, institutional uses such as day care or schools, or some commercial uses such as offices.

Short-term – in terms of home-sharing, short-term is considered any period less than thirty (30) consecutive calendar days

APPENDIX 3

Land Use Planning Resources

1. Shuniah's Municipal Tourism Strategy
2. Shuniah's Municipal Parks Master Plan
3. Shuniah's Landfill Capacity Study
4. Shuniah's Asset Management Plan
5. Provincial Policy Statement:
<http://www.mah.gov.on.ca/Page215.aspx>
6. The Growth Plan for Northern Ontario:
<https://www.mndm.gov.on.ca/en/northern-development/growth-plan-northern-ontario>
7. Ministry of Municipal Affairs and Housing Citizens' Guides to Land Use Planning that cover topics such as:
 - (1) Development Approval Process for Consent, Zoning Amendments, Official Plan Amendment Applications
 - (2) How to participate in decision-making
8. How to appeal a decision that does not conform to the Growth Plan for Northern Ontario or that conflict Official Plan policies
<http://www.mah.gov.on.ca/Page338.aspx>
9. Local Planning Appeal Tribunal (replaced the Ontario Municipal Board):
<http://elto.gov.on.ca/contact/local-planning-appeal-tribunal/>
655 Bay Street, Suite 1500
Toronto, Ontario M5G 1E5
Local.Planning.Appeal.Tribunal@[Ontario](mailto:Local.Planning.Appeal.Tribunal@Ontario.ca).ca
Tel: (416) 212-6349 or toll free 1 (866) 448-2248
Fax: (416) 326-5370
TTY: 1 (800) 855-1155 via Bell Relay

Local Planning Appeal Support Centre:

<https://www.lpasc.ca>

LPASC was established under the Local Planning Appeal Support Centre Act, 2017, with the mandate to:

- establish and administer a cost-effective and efficient system for providing support services to eligible individuals with respect to matters governed by the Planning Act that are under the jurisdiction of the Local Planning Appeal Tribunal
- establish policies and priorities for support services based on its financial resources, and provide services that include:
 - information on land use planning
 - guidance on Tribunal procedures
 - advice or representation
 - other services prescribed by regulations

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