



Township of Hornepayne Official Plan

Approved by the Ministry of Municipal Affairs & Housing

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1 Introducing the Township of Hornepayne Official Plan

The Township of Hornepayne (Township) has initiated a new Official Plan (Plan) for the municipality. The Plan is enabled under Section 17 of the Planning Act (Act), as amended. With the adoption of this Plan, the Township will repeal the existing Official Plan which was adopted in February 14, 1978, by the Council of Wicksteed Township, and amendments thereto. The adoption of this Plan will create a new Official Plan for the Township.

1.1 The Township of Hornepayne

Hornepayne is a municipality of approximately 1,000 residents located in the Algoma District, in Northern Ontario. A settlement was established in the area in 1915 when the Canadian Northern Railway's (CNoR) later merged to become Canadian National Railway (CN) transcontinental line was built through the area. The municipality was originally named Wicksteed Township when incorporated in 1927 after the geographic township in which it is located and was renamed Hornepayne in 1986. The Township is located on Provincial Highway 631, 98 kilometres north of the Trans-Canada Highway 17 junction in White River and 72 kilometres south of the Trans-Canada Highway 11 junction that is 63 kilometres west of Hearst. Hornepayne is located in the geographic centre of the province of Ontario.

The Township is located in Treaty 9, in the traditional territory of Hornepayne First Nation Incorporated, Long Lake #58, and Ginoogaming First Nation. In addition, Michopicoten, Pic Mober, Chapleau Cree, Brunswick House, Missinabi Cree, and Constance Lake First Nations are located in the region and have existing relationships with the Township and may have an interest in land-based activities in the Township. Several First Nations and Indigenous communities have members residing and working in Hornepayne, and several First Nations and Indigenous communities are part owners of the local sawmill.

1.2 Basis of the Plan

1.2.1 Purpose of the Plan

The purpose of this Plan is to provide guidance and direction for development and planning decisions within the Township of Hornepayne to the 2046 planning horizon. Decisions that affect an area's growth and development have long-lasting impacts. Ultimately, such decisions should result in a liveable community that is economically and environmentally sustainable.

The Plan is meant to enable development that contributes to the long-term enhancement of Hornepayne's land base and prosperity and to direct development to where it poses the least risk to areas of local and provincial significance.

The goal is to formulate policies that are easy to interpret and apply and that logically guide development. This Plan will be implemented through a new Zoning By-law for the Township and will provide a basis for other municipal by-laws and Plans to regulate the development and use of land.

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

1.2.2 Legislative Context

The Planning Act requires that municipalities have Official Plans which contain goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the municipality. The Act also identifies matters of provincial interest, which are further defined by the 2020 Provincial Policy Statement (PPS). This Plan was drafted, reviewed, and adopted in conformity with the requirements of the Act and is consistent with the 2020 PPS and other policy statements issued under the Act.

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

The Plan will be reviewed in accordance with the Planning Act and may also be amended by the municipality to reflect changing circumstances or new priorities in the interim. When amendments are made to the Plan, appropriate amendments will also be made to implementing by-laws so that any such by-law is in conformity with the Plan.

1.2.3 Background Report and Consultation

The Township has prepared a background report which was based on public consultation sessions, reviewed the local planning context, set out a low-growth population projection for the Township, and provided recommendations for the Plan. Throughout the development of this Plan there has been involvement by Township residents and stakeholders.

1.2.4 Township Vision

Through the consultation process, a Vision statement was drafted that identifies how community members see Hornepayne in 2046:

“Hornepayne, nestled in pristine natural surroundings, is the geographical Centre of Ontario. This environmentally conscious community of happy, positive people embrace each season. The variety of housing and employment opportunities make it a place where people want to live, work, visit and invest.”

1.2.5 Township Issues, Goals, and Objectives

The Township has recently prepared several related strategic planning documents, including:

- Township of Hornepayne Strategic Plan – Planning to Succeed 2020 – 2023;
- 2018-2019 Workforce Development Issues in Hornepayne;
- Energy Conservation and Demand Management Plan – 2020-2024;
- Housing Needs and Demand Study; and
- Asset Management Plan.

These plans outline the issues, goals, and objectives of the Township, and serve to guide and inform future land use planning decisions. This Plan will provide the land use planning policy to support the Township’s strategic objectives found in these various plans, outlined below.

Take a consistent and planned approach to decision making on managing municipal infrastructure and assets

- Ensure coordination of capital infrastructure projects and the Asset Management Plan with land use planning policy
- Adopt a Municipal Buildings and Properties Maintenance and Disposal Policy; plan for surplus municipal assets and lands

Carefully plan for economic growth and sustainability

- Form partnerships to raise Hornepayne's profile
- Provide development incentives with a Community Improvement Plan
- Provide development certainty and regulation through a Comprehensive Zoning By-law
- Pursue opportunities and plan for municipally-owned commercial properties

Follow the Master Planning approach to decision making to ensure decisions are well-planned and supported by public consultation, critical information, and defensible data

- Adopt a new Official Plan
- Prepare Arts, Culture and Recreation Plans and Strategies
- Develop a Housing Strategy and provide supportive housing policies in the Official Plan and Zoning By-law

Provide sufficient and diverse affordable, accessible, market, ownership and short-term rental housing in good condition to ensure the supply can accommodate employment needs, population growth and allow seniors to age-in-place

- Allow for secondary suites and additional dwelling units to promote the development of affordable rental housing
- Support creation of affordable housing through Community Improvement Plan policies
- Ensure shared housing arrangements, single room occupancy and supportive housing are permitted
- Support property standards through continuance of Official Plan policy
- Allow development of multi-residential dwellings in most residential areas

2 General Policies

2.1 Community Structure

The Township generally consists of one concentrated urban area where the focus of development, services, and private lands are located. This is designated as the Urban Settlement Area. The remainder of the Township consists of rural lands.

2.1.1 Urban Settlement Area

The Urban Settlement Area updates the general land use pattern from the Township's existing Plan, supports the Township's vision to entice residents and businesses to the municipality, allows the Township to maximize economic development opportunities that are supported by the GPNO, and makes efficient use of existing municipal infrastructure.

2.1.2 Rural Area

Rural lands within the Township are mostly Provincial Crown Lands. These areas will be promoted for a variety of uses including, but not limited to, limited rural residential uses, public recreation, commercial tourism, cottaging and waterfront development, agricultural uses, industrial uses, and the sustainable management or use of resources.

2.2 Growth Management

Growth management in the Township is based on accommodating most of the growth to the year 2046 in the Urban Settlement Area through:

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

Based on the Background Report, the Township is projected to have modest population growth over the 25-year planning period (2021-2046), attributed to the projected increase in the Algoma District's population between 2016 and 2026. From 2026 to 2046, the population in Algoma District is then projected to decline slightly. Overall this provides for a modest population growth for the Township of Hornepayne during the planning period. This population projection coincides with the low-growth scenarios projected for the Algoma District and Northern Ontario by the Ontario Ministry of Finance.

While the projection based on a share of Algoma District indicates a modest growth, the Township would like to plan for greater gradual growth and development, upwards of 5,000 people, taking infrastructure improvements into account and creating itself as a regional hub in the "Centre of Ontario".

The primary means for reviewing the adequacy of the Township's supply of land and expansions to the Urban Settlement Area will be the 10-year review process. Proposed amendments to the Plan to expand the Urban Settlement Area in advance of the 10-year review process will be evaluated for public benefit on the basis of the following criteria:

- a) Sufficient opportunities for growth are not available through intensification, redevelopment, and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- c) The need for growth at the proposed location, based on the rationale outlined in a comprehensive review;
- d) The costs and benefits of permitting growth at the proposed location; and
- e) The implications for municipal servicing and other services.

Notwithstanding the above, the Township may adjust the Urban Settlement Area boundary outside of a comprehensive review provided that there is no net increase in settlement area lands, the adjustment supports intensification and redevelopment, and the lands are appropriately serviced.

2.3 Economic Development

The economy of the Township of Hornepayne is driven by natural resources and the Township's central location, with primary employers being Hornepayne Lumber Limited Partnership/Hornepayne Power and CN Rail. Supporting those industries, others work in the retail, service, health care, and education sectors.

With the natural riches near and within Hornepayne, the Township is a tourism destination for fishing, hunting and outdoor enthusiasts from all over Ontario. The central location of Hornepayne between significant transportation and recreation routes, makes the Township an ideal stopping area for snowmobiling during the winter months with its proximity to Sault Ste. Marie and Hearst.

The following are key economic objectives during the planning period:

2.3.1 Redevelopment of former Hallmark Centre / Downtown

Redevelopment of the former Hallmark Centre site and additional commercial investment is a key economic development goal of this Plan. Currently, a hotel development is planned on an adjacent property on the corner of Front Street and Becker Road and will serve as a catalyst for future development in the area. This area could serve as a multi-use hub providing commercial opportunities, rental housing, and key health care and other personal service amenities not currently present in the community.

2.3.2 Centre of Ontario Tourist Attraction Development

The Township of Hornepayne is home to the Geographic Centre of Ontario, located at N 49° 15.675' and W 84° 43.950', northeast of the urban area of the Township. The Township is currently working with the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR) and Ministry of Transportation (MTO) to develop this area into an attraction with interpretive offerings and hiking trails and provide access to the area from Highway 631. With the development of this attraction, spin-off tourist offerings are anticipated.

2.3.3 Intermodal Facility / Service Hub for Transportation on Highway 631

The Township recognizes its strategic location as a CNR hub, and on Highway 631 between White River on Highway 17 and Hearst on Highway 11. This presents the opportunity for a regional intermodal facility or other transportation-reliant industrial uses to be located on relatively abundant and inexpensive land in proximity to road and rail assets in the vicinity of Becker Road. In addition, service businesses which cater to the travelling public could locate along Highway 631 in the Township.

2.3.4 Waterfront Residential and Tourist Commercial Properties

Located within the Township's boundaries are several lakes that are accessible and have the potential to be developed into seasonal or year-round waterfront homes and/or tourist commercial properties. These lakes include those designated in the Plan as "Shoreline" and are First Government Lake, Spurline Lake, Bucknell's Pond, and Bear Lake. Much of these immediate shoreline lands and the surrounding area are Crown Lands and would involve divestment for economic purposes to proceed with development.

2.3.5 Economic Development Partnerships with First Nations and Regional Organizations

The Township has the opportunity to develop partnerships for economic initiatives with local First Nations and Indigenous organizations that may include (but not be limited to) tourism, transportation, and use of natural resources.

In particular, the Township may encourage and promote opportunities to work with Hornepayne First Nation Incorporated as they are located within the Township in seeking mutually beneficial and socially and environmentally sustainable economic development opportunities.

2.3.6 Agriculture and Homesteading

The Township contains significant areas of vacant rural land that may be suitable for agricultural activities, including the use of rural properties for self-sufficient homesteading. The Township supports and encourages use of the rural area for agriculture, agriculture-related uses, on-farm diversified uses, and normal farm practices. Much of these lands are Crown Lands and would involve divestment for economic purposes to proceed with development.

2.3.7 Support for Area Resource Extraction

The Sugar Zone Gold Mine is located approximately 65 km south of the Township and started production in 2019. Its anticipated mine life is 15 to 20 years. The Township can support the Sugar Zone development with housing and accommodations for employees as well as ancillary services for the mining operations.

2.4 Housing

2.4.1 Affordable Housing

The Township recently completed a Housing Needs and Demands Study which identified the need for affordable housing in the community. This Plan and the Township's Zoning By-law implement several of the recommendations of that Study. The Township has recently established a Municipal Services Corporation for the provision of affordable housing and may participate in federal and provincial housing programs designed to provide affordable housing in the community and may collaborate with the Algoma District Services Administration Board (ADSAB) and other agencies as appropriate, to identify and respond to affordable housing needs in the community.

- 1) Affordable housing shall be encouraged through infilling and intensification where servicing is appropriate, by encouraging non-profit housing, and an appropriate mix of housing types and low to high densities. Council will encourage affordable rental housing accommodation in existing and new housing stock. Secondary and additional dwelling units and garden suites shall be considered a form of affordable housing.
- 2) The Township will target a 5% ratio of affordable housing units in all new development.
- 3) Affordable is based on the definition in the PPS.
- 4) Council will work co-operatively with local First Nations and Indigenous communities in promoting and planning for affordable housing.
- 5) Shared housing arrangements, such as single room occupancy, shared housing with support, and shared ownership arrangements are permitted throughout the Township.

2.4.2 Secondary and Additional Dwelling Units

Secondary units (also known as accessory apartments, basement apartments, or in-law suites) are self-contained dwelling units with a separate entrance, located within and subordinate to an existing dwelling unit or within an accessory building.

The Planning Act authorizes the use of secondary and additional residential units by permitting: (a) the use of two residential units in a detached house, semi-detached house, or rowhouse; and (b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house, or rowhouse.

- 1) Secondary and additional dwelling units will be permitted throughout the Township in any land use designation that permits a residential use, provided that they comply with the Ontario Building and Fire Codes and they can be accommodated with the proper servicing.

- 2) Additional dwelling units shall be prohibited from being severed from the lot containing the primary residential use.
- 3) The Zoning By-law will provide regulations in accordance with the *Planning Act*.

2.4.3 Garden Suites

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

- 1) Garden suites shall be permitted in conjunction with a single-detached dwelling throughout the Township, provided that: they comply with the Ontario Building and Fire Codes; they can be accommodated with the proper servicing; and they are compatible with surrounding land uses.
- 2) A garden suite may only be permitted through a temporary use By-law and the use shall not exceed twenty (20) years from the date of passing the by-law. Extensions for further periods of not more than three years each during which the temporary use is authorized may be granted by Council by By-law in accordance with the *Planning Act*.
- 3) The Zoning By-law shall include regulations for unit size, setbacks, on-site parking, and other performance standards.
- 4) Council may require the property owner to enter into an agreement dealing with such matters related to the temporary use of the garden suite, including:
 - a) The installation, maintenance, and removal of the garden suite;
 - b) The period of occupancy of the garden suite by any persons named in the agreement; and
 - c) The monetary or other form of security that may be required for actual or potential costs related to the garden suite.

2.4.4 Group Homes

A group home is a single housekeeping unit in a residential dwelling in which people (excluding supervisory staff or the receiving body) live together under responsible supervision consistent with the particular requirements of its residents. The home is licensed or approved under provincial statutes and in compliance with municipal by-laws.

- 1) Group homes are a residential use and shall be permitted in all land use designations which permit residential uses. They shall be encouraged, but not limited, to locate in proximity to community services and facilities that may serve residents. Appropriate performance standards for group homes will be included in the Zoning By-law and Council will provide input to the provincial licensing or approval authorities on any applications for group homes in the Township.

2.4.5 Mobile Home Parks

Mobile home parks may be permitted in appropriate locations as an alternative to traditional forms of housing.

- 1) Mobile home parks shall generally be developed, owned, and operated as a single unit. Ownership and maintenance of internal roads, services, common elements, open space areas, and buildings shall be the responsibility of the owner.
- 2) Any new Mobile Home Park will be subject to Site Plan Control. Such a review shall consider such factors as proposed land uses, densities, servicing, utilities, internal design, aesthetics, landscaping, and the physical relationship of the mobile home park to existing adjacent development.
- 3) Access points shall be limited in number and designed to minimize conflict with pedestrian and vehicular traffic.

2.5 Community Improvement

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

- 1) It is the Township's intention to encourage improvements to the quality of existing development, community facilities, and public services, particularly within the Urban Settlement Area, to provide those additional community facilities as circumstances and finances permit.
- 2) It is intended that community improvement policies will serve the following objectives:
 - a) Support the Township's economic and community development activities through the enabling of financial incentives, including tax-increment grants and other incentives;
 - b) Support the creation of seniors and affordable housing, and purpose-built rental housing units;
 - c) Encourage residential intensification opportunities, such as mixed use and infill developments, and accessory apartments;
 - d) Improve the Township's visual image and condition;
 - e) Encourage the preservation, rehabilitation, renewal, and reuse of heritage resources;
 - f) Provide for the continued social and economic viability of the Township, in particular through the encouragement of locating services and amenities in the Township;
 - g) Provide an environment that is attractive to new investment for residential, commercial, and industrial properties; and
 - h) Encourage the ongoing maintenance, rehabilitation, redevelopment, upgrading, and improvement of the physical environment, within a framework of sound fiscal management.
- 3) The Township will maintain a municipal-wide "Community Improvement Project Area" designation within its municipal limits. The Township may identify and establish by by-law a specific Community Improvement Project Area.

- 4) The Township may undertake a Community Improvement Plan (CIP) which may include design guidelines, incentive programs, and a schedule of works for the maintenance, rehabilitation, repair, and development of public and privately-owned facilities and lands.

2.6 Climate Change

2.6.1 Sustainability

- 1) Council shall promote sustainability through energy conservation, water conservation, air quality improvement, and waste reduction by:
 - a) Initiating, participating, and cooperating in programs, including public education and awareness;
 - b) Encouraging infill and intensification of existing built-up areas and the efficient use of existing infrastructure;
 - c) Incorporating energy conservation measures and encouraging environmental design standards, such as LEED, into site and building design;
 - d) Encouraging the use of walking, bicycling, and carpooling as alternatives to private automobile use;
 - e) Promoting design and orientation of subdivisions and developments which maximize the use of alternative or renewable energy systems at appropriate locations;
 - f) Encouraging the reuse and multiple uses of treated water, including stormwater;
 - g) Encouraging the planting of native trees, shrubs, and other ground vegetation for temperature reduction and infiltration;
 - h) Encouraging development proposals to provide adequate waste disposal, recycling, and composting facilities;
 - i) Supporting innovative waste collection and diversion programs; and
 - j) Supporting the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock; and
 - k) Ensuring that infrastructure and public service facilities are provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.

2.6.2 Adaptive Design for Climate Change

- 1) Council shall encourage community infrastructure and proposed developments that take into account the potential impacts from climate change by promoting the following:
 - a) The protection, enhancement, and restoration of significant natural heritage features and areas;
 - b) Green industries and green building technologies and construction practices;
 - c) Environmental designs and retrofits of buildings and infrastructure that reduce the quantity and improve the quality of stormwater runoff;

- d) The incorporation of active transportation networks and linkages in proposed developments;
- e) Tree planting and innovative green space designs that reduce energy use through shading and sheltering;
- f) The planting of native and non-native, non-invasive tree and vegetation species in proposed developments that are resilient to climate change and reduce carbon footprints;
- g) Artificial shading in appropriate locations;
- h) Greater use of permeable surfaces and pervious pavement, where appropriate, to reduce flood risk and strains on sewer and stormwater infrastructure;
- i) The establishment of community gardens in suitable locations that have maximum exposure to sunlight; and
- j) Public education and awareness of measures to reduce the effects of climate change.

2.7 Quality of Place

Land use decisions supported by this Plan promote a natural and built environment that foster an excellent quality of life for residents through quality of place.

- 1) The Township supports development that encourages a sense of place, promotes well-designed built form and cultural planning, and conserves features that help define character, including built heritage resources and cultural heritage landscapes.
- 2) The Township will support accessibility within all aspects of land use planning, including by:
 - a) encouraging housing providers to design and develop barrier-free housing; and
 - b) working with community-based accessibility organizations to improve accessibility in the Township.

3 Land Use Policies

3.1 General Policies Applicable to all Designations

3.1.1 Community Gardens, Greenhouses, and Temporary Farmers' Markets

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

- 1) Community gardens, small-scale greenhouses, and temporary farmers' markets will generally be permitted in all land use designations, provided that: the design and siting of any buildings and structures are in keeping with the character of the surrounding area; sufficient parking is available; and the community garden or greenhouse use will not detract from the primary function and use of the area.
- 2) Commercial greenhouses are not included in the above policy and shall be located in the Employment or Rural designations.

3.1.2 Home-Based Businesses

Home-based businesses are an important means of realizing small business start-ups and stay-at-home self-employment.

- 1) Home-based businesses are permitted in any land use designation that permits a residential use, subject to performance standards that will be established in the Zoning By-law.
- 2) Where permitted, home-based businesses shall be secondary to the residential use of the property and shall not generate adverse impacts on surrounding properties. Home-based businesses which can no longer be considered secondary to the residential use of the property shall be subject to a Zoning By-law Amendment or required to relocate to an appropriately zoned commercial or industrial site.
- 3) Home-based businesses located along Highway 631 shall require the approval of MTO. Typically, MTO will require that the property owner obtain a building and land use, entrance, and/or sign permit. As a condition of these permits, MTO requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future if MTO's safety requirements are not met and that an additional entrance will not be permitted to accommodate a home-based business.

3.1.3 Institutional and Community Facility Uses

- 1) Institutional and community facility uses, such as schools, public parks, day care centres, hospitals, fire stations, police stations, museums, churches, libraries, community centres, service clubs, federal and provincial government uses, and similar public or quasi-public uses will generally be permitted in all land use designations, provided that the design and siting of the buildings and structures are in keeping with the character of the surrounding area and the use will not detract from the primary function of the area.

- 2) Proposed institutional and community facility uses will be subject to the following policies:
 - a) The land is suitable for the proposed use;
 - b) The use can be adequately serviced;
 - c) Adequate off-street parking, loading, and landscaping shall be provided; and
 - d) Significant traffic generators shall be appropriately located so that surrounding uses are not adversely affected.
- 3) Institutional and community facility uses shall be regulated through the Zoning By-law.
- 4) Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness, facilitate service integration, and permit active transportation.

3.1.4 Public Infrastructure and Utilities

- 1) Public infrastructure uses and utilities, such as power (excluding alternative energy systems and renewable energy systems), water services, roads, railways, telecommunications, but not including waste disposal sites, will generally be permitted in all land use designations, provided that such use or utility is necessary and appropriate in the location and is compatible with surrounding uses.
- 2) Municipal water and sewage treatment plants will be permitted in any land use designation, subject to all necessary approvals being obtained from the Ministry of the Environment, Conservation and Parks (MECP), and being appropriately zoned in the Zoning By-law. The relative location of sewage treatment plants and sensitive uses shall follow applicable MECP Guidelines.
- 3) Utility improvement is an ongoing process requiring replacement of existing facilities and creation of new sites for utility-related functions, such as transformer stations, pumping stations, valve stations, etc. Council shall actively seek to coordinate the siting of these utilities within rights-of-way and the coordination among utilities in order to avoid unnecessary duplication of rights-of-way or easements.
- 4) Each utility company should be consulted in the development, design, and approval stages for new development or redevelopment to allow time to plan for utility provisions.
- 5) Planning for infrastructure, electricity generation facilities and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so they are:
 - a) financially viable over their life cycle, as demonstrated through asset management planning; and
 - b) available to meet current and projected needs.

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

Wayside pits and quarries, portable asphalt plants, and portable concrete plants are temporary operations established by or on behalf of a public road authority on short notice solely to fulfill an immediate road construction or maintenance need.

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

3.2 Urban Settlement Area

The Urban Settlement Area of Hornepayne functions as a centre for growth, development, and urban activities. It is the service centre for the Township and is where municipal water and sewer services are provided. The Urban Settlement Area will be the focus of residential, commercial, employment, institutional, entertainment, and cultural uses.

The Township may identify and promote the redevelopment of designated and vacant and/or underutilized sites, including surplus municipal lands and buildings, and areas in transition in the Urban Settlement Area taking into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs. These areas may be redeveloped in accordance with the policies of this Plan.

3.2.1 Residential

The Residential area is the focus of residential development. It allows for a variety of housing types and densities, in addition to facilities and services such as schools, parks, places of worship, community services, and local neighbourhood-oriented commercial uses which are integral to and supportive of a residential environment.

The Residential area permits a variety of housing types and accommodates and encourages a variety in size, design, tenure, accessibility, and affordability to meet the housing needs of the Township. The implementing Zoning By-law will provide zones that are categorized by dwelling type and include performance standards.

- 1) Low density residential uses are permitted including single detached dwellings, semi-detached dwellings, and duplex dwellings.
- 2) Secondary and additional dwelling units, garden suites, and group homes are considered residential uses and are permitted in accordance with the policies of this Plan.
- 3) Medium to high density buildings (i.e. triplex, fourplex, row or block townhouses, apartments, and multi-residential buildings) are also permitted, subject to the following considerations:
 - a) The type and size of the development;

- b) The adequate provision of services and parking;
 - c) Proposed buffering provisions that shall serve to minimize any potential adverse effects on adjacent properties;
 - d) The design of the development in relation to the character, scale, massing, height, and streetscape features of adjacent buildings.
- 4) Multi-residential development that is designed for occupancy by seniors, including seniors' apartment buildings, assisted living facilities, and long-term care facilities is permitted. Related commercial uses may also be permitted. The development of any new seniors' facility and related commercial uses, including the conversion of an existing building, may require a site-specific Zoning By-law Amendment and Site Plan Control.
 - 5) Affordable housing is promoted in accordance with the policies of this Plan and the Township's Housing Needs and Demands Study.
 - 6) Mobile home parks are permitted in accordance with the policies of this Plan.
 - 7) Tiny homes are permitted in accordance with the policies of this Plan and the Ontario Building Code.
 - 8) Complementary land uses may be permitted in the Residential area where they are compatible with the residential environment, including parks and open space and institutional and community facility uses.
 - 9) Home-based businesses are permitted in the Residential area, subject to the policies of this Plan, and may require approval of a site-specific Zoning By-law Amendment.
 - 10) Local commercial uses and personal services uses may be permitted in the Residential area, where they are compatible with the surrounding residential area, and may require a site-specific Zoning By-law Amendment. The Zoning By-law may set out additional performance standards including floor area, height, parking, and landscaping requirements. Local commercial uses may be subject to Site Plan Control. Compatibility will be assessed based on the following:
 - a) Potential affects to the character of the surrounding residential area;
 - b) Noise and traffic generation; and
 - c) Overall number of local commercial uses, location, and design.

3.2.2 Mixed Use Commercial

The Mixed Use Commercial area is generally located on Front Street, and described as "Downtown" Hornepayne, and east on Highway 631 / Becker Road. This area permits a variety of commercial and institutional uses in addition to medium and high-density residential uses. It is the intent of this Plan to encourage growth of the business function of this area by promoting the expansion of retail, office, and public uses and encourage investment in community improvements.

Redevelopment of the former Hallmark Centre site and additional commercial investment is a key economic development goal of this Plan. Currently, a hotel development is planned for an adjacent property on the corner of Front Street and Becker Road and will serve as a catalyst for future development in the area.

- 1) Permitted commercial and institutional uses shall include but not be limited to retail operations, offices, restaurants, motels and hotels, personal and related services, tourist services and facilities, entertainment uses, institutions, government and public operations, and general business activities appropriate to the Urban Settlement Area.
- 2) Large format retail may be considered along Highway 631 and Front Street, subject to adequate servicing, parking, and landscaping. A Zoning By-law Amendment and supporting traffic impact study may be required.
- 3) In recognition of the existing character of the area, existing low to medium density residential development shall be permitted. Home-based businesses may be permitted, accessory to an existing residential use. Secondary dwelling units may be permitted in the Employment area, when accessory to a commercial or institutional use. Mixed-use buildings that provide for the integration of two or more permitted uses, other than industrial, shall also be permitted.
- 4) Medium and high-density multi-residential development may be permitted subject to land use compatibility, and may require Zoning By-law Amendment and Site Plan Control.
- 5) Appropriate landscaping and buffering shall be provided along road frontages and along boundaries with residential uses. In order to promote a denser, more urban environment in the downtown core, reduced parking requirements may be considered.
- 6) Uses may be subject to Site Plan Control.
- 7) Improvements to the Mixed Use Commercial area will be encouraged by such means as CIPs enabled by Section 2.5 of this Plan, business improvement areas, redevelopment, renovation, and land assembly programs, and by the construction of new commercial and institutional or mixed used buildings.

3.2.3 Employment

The Employment area is generally located around the CN Railyards and Becker Road, and includes clusters of industrial uses including, but not limited to, railyards and transportation, manufacturing, warehousing, and associated highway commercial, office, retail, and ancillary facilities. The Employment area be protected and preserved for current and future uses, including its proximity to goods movement corridors, and shall allow for a variety of commercial and industrial uses which provide employment in the Township. It is the intent of this Plan to encourage growth of the business function of this area by promoting the expansion of commercial and industrial uses and by encouraging investment in community improvements.

- 1) Industrial uses may be permitted along Roundhouse Road, Railway Crescent, and Highway 631, subject to adequate separation distances as per MECP Guidelines when proposed near sensitive land uses.
- 2) Separation distances will vary depending upon the nature of the proposed industrial use. The approval of development proposals shall be based upon the achievement of adequate separation distances and the recommendations of the required studies. The intent of this Plan is to group industrial uses so as to maximize their compatibility and minimize any negative impacts on nearby residential or other sensitive land uses.

- 3) Permitted industrial uses shall include but not be limited to railyards and transportation, warehousing, processing, manufacturing, logistics operations, distribution, fabricating, and storage. In addition, certain other compatible uses are permitted, such as commercial uses accessory to industrial uses, commercial uses primarily serving the industrial area, wholesale uses, office uses, other quasi-industrial, or service or business uses, and commercial uses which require large sites for storage.
- 4) Industrial uses shall be placed in an Industrial zoning category in the implementing Zoning By-law. Performance standards shall also be included that separate, screen, or otherwise buffer adjacent sensitive land uses from open storage areas, noise, odour, and other impacts. Open storage will be screened such that it is not visible from a provincial highway, municipal road, or adjacent residential uses.
- 5) Uses may be subject to Site Plan Control.
- 6) Improvements to the Employment area will be encouraged by such means as CIPs, business improvement areas, redevelopment, renovation, and land assembly programs, and by the construction of new commercial buildings.

3.2.4 Future Development

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

Lands designated Future Development are intended to provide for the orderly development of logical extensions of the urban area, with potential residential areas as an extension to the existing Residential area generally on the western side of the Urban Settlement Area. Commercial and industrial development opportunities exist along Highway 631 leading into the Township, and along Becker Road and Roundhouse Road, contiguous with existing development.

- 1) Prior to new development, an Official Plan Amendment will be required to designate the lands as either Residential, Mixed Use Commercial, or Employment and to address the ultimate use of the subject lands. Council will consider an Amendment regarding these lands in cases where the following is met:
 - a) There is an opportunity for economic development;
 - b) The proposed development cannot be accommodated elsewhere within the developed area;
 - c) Lands represent a logical extension of the developed area, in that they abut existing or approved development; and
 - d) Services are or can be made available.
- 2) It is the intent that future development on these lands be serviced by municipal services.
- 3) In the interim, existing development, expansions to existing development, or the use of a lot of record for rural purposes shall be permitted.

3.3 Rural

Lands designated as Rural are intended to protect the natural amenities of the area and provide opportunities for recreation, tourism, agriculture, timber, wildlife, and resource-based activities, and limited residential development. The amount and type of development in the Rural area shall be consistent with maintaining its rural, natural heritage landscape. The majority of rural lands within the Township are Crown Lands.

The Rural area also contains lands designated Rural Industrial Area (Section 3.4) which are to be the focus of rural industrial development.

3.3.1 Rural Residential Uses

- 1) Recreational dwellings and limited low density residential development is permitted in the Rural designation and shall generally be single detached dwellings. The conversion of existing single detached dwellings into semi-detached or duplex dwellings may be permitted in accordance with the provisions of the Zoning By-law.
- 2) Additional dwellings units are permitted, subject to appropriate servicing, and the provisions of Section 2.4.2 of this Plan.
- 3) Rural residential development shall not require municipal water or sewer services. The lot must have the capability to provide an appropriate sewage disposal system and water supply with both quantity and quality suitable for domestic uses.
- 4) Development shall be located to ensure that the impact on natural heritage features will be minimal.
- 5) Where the number of lots being proposed requires that the development will be by plan of subdivision, the policies of Section 6.4.1 shall be followed.
- 6) Mobile home parks are permitted in accordance with the policies of this Plan.

3.3.2 Rural Commercial Uses

Most commercial development will take place in the Urban Settlement Area recognized in this Plan. However, it is anticipated that there may still be a need or desire for commercial development in the Rural area. In particular, areas along Highway 631 may be appropriate for rural commercial activities.

- 1) Rural commercial uses which provide for the basic and immediate needs of the rural population and of tourists and the travelling public shall be permitted. Permitted rural commercial uses shall include, but not be limited to, resort and recreation commercial uses, tourist facilities, auction barns, farm-related commercial and convenience commercial, flea markets, golf courses, and other highway commercial uses.
- 2) Large format retail may be considered along Highway 631, subject to adequate servicing, parking, and landscaping. A Zoning By-law Amendment and supporting traffic impact study may be required.

- 3) Proposed rural commercial uses shall be subject to the following:
 - a) The use must be appropriate for the proposed location and be compatible with surrounding land uses;
 - b) Access will be carefully controlled in order to avoid creating any traffic hazard;
 - c) Appropriate landscaping, screening, and buffering shall be provided;
 - d) Adequate parking and loading spaces will be provided;
 - e) Advertising signage and outdoor storage of goods and materials will be appropriately controlled;
 - f) The uses will be placed in a separate category in the Zoning By-law;
 - g) The uses shall be dry uses and site conditions shall be suitable for the long-term provision of individual on-site sewage services and water services.
- 4) Development may be subject to Site Plan Control.

3.3.3 Agricultural Uses

Agricultural uses, including farm operations, agriculture-related uses, on-farm diversified uses, and normal farm practices, are permitted in the Rural designation. For clarity, the growing of cannabis is considered to be an agricultural use. The Township also supports small-scale agricultural uses such as homesteading. Generally, the Township supports agricultural and homesteading uses off of Government Lake Road, to the west of the Urban Settlement Area.

- 1) New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with Minimum Distance Separation (MDS) Formulae and will be placed in the proper zoning category.
- 2) The Township recognizes that the MDS guidelines provide options for municipalities. These will be evaluated on a site-specific basis. The application of MDS scenarios where flexibility exists will be established in the implementing zoning by-law, as appropriate.
- 3) Existing agricultural uses are permitted to continue in and adjacent to natural heritage features.

3.3.4 Mineral Mining

The entire Township is characterized as having a moderately high (79 out of 100) MMPET index, in part due to presences of pegmatites which are one of the potential sources for rechargeable batteries. MMPET mapping has been included in Appendix A. No abandoned mine hazards are currently present in the Township.

Mining activity is regulated by the *Mining Act* and administered by NDMNRF. Various Acts administered by the MECP and other Federal and Provincial legislation also apply. As such, this Plan does not regulate mining exploration or underground mining operations. Notwithstanding, surface operations associated with mines may be subject to the *Planning Act*, this Plan and MECP guidelines respecting incompatible uses.

- 1) Permitted uses in the Rural area may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and related uses, and accessory uses and structures

associated with mining. For lands to be used for a mineral mining operation, an amendment to the Zoning By-law shall occur where such lands are not pre-zoned.

- 2) In considering an amendment to the Zoning By-law to permit a mining or mining-related use or the expansion of an existing use, the Township will consider:
 - a) The impact on the environment, particularly new mining operations, which must be located where there will be little or no impact on natural heritage features and areas;
 - b) Indirect impacts on utilities and services;
 - c) The impact on surrounding land uses;
 - d) The aesthetic appearance of the proposed development; and
 - e) The benefit of the mining or mining-related use.
- 3) This Plan recognizes the concept of an influence area in order to offer mutual protection from incompatible uses for sensitive land uses or the extraction and processing activities in areas protected for mineral mining operations. Unless a detailed study recommends otherwise, 1,000 metres from the edge of a mining operation will be considered as an influence area. Development proposals will be considered based on studies of compatibility, environmental impact assessment, groundwater, noise, dust, vibration, and other appropriate matters.
- 4) Past producing mining operations or active mining operations are subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure.

3.3.5 Aggregate Extraction

The Township is characterized by metasedimentary bedrock geology; however, there is no data on existing aggregate resources in the Township. Aggregates such as sand, gravel, and other materials are non-renewable resources. Aggregate resource extraction should be considered an interim land use. If appropriate rehabilitation measures are used, sites of aggregate extraction can be returned to a subsequent productive use compatible with surrounding land uses. The Plan provides for the introduction of new pits and quarries. The potential impacts of pits and quarries on other land uses are also taken into account.

Pits and quarries are regulated under the *Aggregate Resources Act*; however, the Township is not designated under the *Aggregate Resources Act*. Therefore, the *Aggregate Resources Act* and associated regulations apply to Crown Land, but do not generally apply to private land in the Township, unless subject to reservations under the *Public Lands Act*.

- 1) Should mineral aggregate resource deposits be identified, in these areas and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) The resource use would not be feasible; or
 - b) The proposed land use or development serves a greater long-term public interest; and
 - c) Issues of public health, public safety, and environmental impact are assessed.

- 2) It is the intention of the Township to protect, wherever possible, aggregate resources and aggregate extraction and to ensure that the resources are utilized in accordance with proper controls.
- 3) Proposed new or expanding pits and quarries will be subject to a Zoning By-law Amendment. The supporting information from the applicant shall include, but not necessarily be limited to, the following:
 - a) The location, nature, extent, and economic potential of the mineral deposit;
 - b) The nature and location of adjacent land uses;
 - c) The location of access and haulage routes;
 - d) Reports from qualified professional regarding traffic, haulage routes, separation distances, noise, blasting, hydrogeology, drainage, environmental impact, archaeological assessment, heritage impact assessment, and any other relevant matters; and
 - e) Mining or quarry plans and supporting information related to site development, landscaping and buffering, operations, decommissioning, and progressive and final site rehabilitation.
- 4) Where supported by appropriate technical studies, a separation distance from an aggregate operation to a sensitive land use lesser than the identified influence area may be permitted; however, the minimum required separation distance shall be no less than:
 - a) 300 metres from a pit; or
 - b) 500 metres from a quarry.

3.3.6 Outdoor Recreation and Tourist Commercial Uses

The Township values its natural surroundings, and sees opportunity for local, regional, and broader use of these areas for outdoor recreation and tourist commercial uses.

The Township takes great pride in having the Geographic “Centre of Ontario” located within its municipal boundaries. The Township is actively working with MTO and NDMNRF to develop this area with trails, parking area, and interpretive features around this geographic destination.

Cedar Point Park, located on the eastern side of Spurline Lake, southwest of the Urban Settlement Area on Highway 631, is of particular value to the Township, hosting many outdoor events, and with the potential for redevelopment to create a hub for eco-tourism and outdoor activities.

The Township also prides itself on the Buttercup Trail network for local and regional recreational use. These walking and cross country ski trails located just west of the Urban Settlement Area are a feature to be preserved and built upon with supporting infrastructure and land uses.

The Township is part of the NDMNRF’s Nagagami Forest Management Plan (FMP) area. The Nagagami FMP covers areas including the geographic Centre of Ontario, Cedar Point Park, and Buttercup Trails.

- 1) The Township will actively liaise with NDMNRF and provide input to FMPs as they relate to the Township’s interests, in particular the preservation and enhancement of the geographic Centre of Ontario, Cedar Point Park, and Buttercup Trails.

- 2) Outdoor recreation uses including sports and recreation clubs, tourist facilities, shoreline parks, boat launches, nature trails, and wildlife reserves are permitted in the Rural designation, in addition to recreational and tourist commercial uses such as marinas, golf courses, campgrounds, bed and breakfast establishments, antique outlets, tent and trailer parks, and other such uses in accordance with the following:
 - a) Outdoor recreation uses shall be appropriate for the proposed location and be compatible with surrounding uses;
 - b) Adequate parking and loading spaces shall be provided;
 - c) Advertising signage and outdoor storage of goods and materials will be appropriately controlled; and
 - d) Outdoor recreation uses shall be zoned in the implementing Zoning By-law and may be subject to Site Plan Control.

3.4 Rural Industrial Area

The Township has identified the area to the east of the Urban Settlement Area along Becker Road to be used as a focus for rural industrial uses. This area is on the way to the sawmill which is located in Haig Township (unorganized) to the east and is strategically located along the railway line. The majority of these lands are Crown Lands.

- 1) Rural industrial uses which service resource-based industries shall be permitted. Permitted Rural industrial uses shall include, but not be limited to, transportation terminals, warehousing, agricultural processing plants, builders' supply yards, bulk storage yards, contractor yards, motor vehicle repair garage, sawmill, and other similar industrial uses.
- 2) Where industrial uses are proposed on or near adjacent sensitive lands, separation distances and/or studies shall be required in support of the proposed development. The approval of development proposals shall be based upon the achievement of adequate separation distances and the recommendations of required studies, in compliance with Section 4.8.
- 3) The uses will be placed in a separate category in the Zoning By-law and may be subject to Site Plan Control.
- 4) The uses shall be dry uses and site conditions shall be suitable for the long-term provision of individual on-site sewage services and water services.

3.5 Shoreline

The Shoreline area shall be defined as those lands, extending inland 150 metres from the following lakes in the Township: First Government Lake, Spurline Lake, Bucknell's Pond, and Bear Lake. While there is some existing development in these areas, the majority of these lands are Crown Lands and would require disposition to be developed.

The Township's Shoreline areas are composed of significant natural features, wilderness landscapes, and characterized by minimal development. The Township encourages development to occur in a responsible

manner while protecting and preserving the significant natural heritage features and ecological functions of the shoreline areas.

- 1) The existing lakeshore/rural character of Shoreline areas will be recognized and maintained. Lot sizes shall generally be a minimum of 1.0 hectares, or larger when necessary.
- 2) The shoreline is a sensitive area and, as such, permitted uses are limited to single detached dwellings, tourist commercial, and other commercial uses that relate to the waterfront area (i.e., resorts, camps, restaurants, attractions, and marinas), and open space uses.
- 3) Development may only be permitted where appropriate servicing (water and sewage) and access can be provided, in accordance with those sections of this Plan.
- 4) All buildings, structures, and tile fields will be set back at least 30 metres from the high water mark.
- 5) When replacing existing buildings, structures, and tile fields, a 30 metre setback should be maintained. A reduction in the 30 metre setback may be considered through a Minor Variance to the Zoning By-law.
- 6) Natural vegetation within the 30 metre setback shall be disturbed as little as possible, consistent with passage, safety, and provision of views and ventilation.
- 7) In order to implement these policies and to protect the natural shoreline, Council may use the policies of this Plan, the provisions and standards in the Zoning By-law, Site Plan Control, and the issuance of building permits.

3.5.1 Lakes-at-Capacity

No new lots will be created by consent or plan of subdivision on a lake at capacity, except in accordance with the Lake Capacity Assessment Handbook (2010). At this time no lakes have been identified as at-capacity.

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

- 1) New lot creation and other planning approvals should only be allowed if the following circumstances exist:
 - a) Lot creation is to separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake;
 - b) Where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity; or
 - c) Where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lake.

3.6 Crown Land

The majority of land within the Township is Crown Land, administered by the NDMNRF. Crown Land does not represent a land use designation.

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

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

4 Natural Environment, Cultural Heritage, and Public Health & Safety

4.1 Water Resources

Among other resources, lakes, streams, and rivers support the natural environment and vibrant aquatic communities. Water resource issues arise from various forms of human activity. Demands on water resources can contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating lake water quality, flooding, and erosion, which all impact the quality of life in the Township.

The protection of water resources from contamination and degradation associated with certain land uses and activities is an important element to maintaining the quality of life experienced by existing residents and businesses and supporting future growth. Integrating land management and the protection of water resources allows for the continuance of a clean environment, solid tourism and economic development, and healthy community.

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

- 1) Council will seek to protect, improve, and/or restore groundwater and surface water resources through its planning approval processes. Council will also promote efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality.
- 2) Development and site alteration will be restricted, and development approaches may be required in or near sensitive surface water features and sensitive groundwater features in order to protect, improve, and/or restore these features and their related hydrologic functions.
- 3) Shoreline development shall follow the policies of this Plan that aim to protect, improve, and restore water quality and quantity.

4.2 Source Water Protection

The Township's source water is Moonlight Lake, located south of the urban area and to the east of the Hornepayne Municipal Airport.

Source water protection plans identify potential threats to drinking water quality and quantity and recommend appropriate protection measures including, where warranted, restrictions on development within the watershed.

- 1) The Township will participate in the preparation and implementation of a source protection plan under the provisions of the *Clean Water Act* and the Plan will be amended, as required, to conform to relevant policies set out in an approved source protection plan.
- 2) Where appropriate, a water intake protection zone restricting development may be implemented through the Zoning By-law to protect the source water. Subject to the completion of a study to determine the area of influence, all uses and activities proposed within the water intake protection zone may be prohibited unless the development proponent demonstrates that the proposed use or activity will not have a negative impact on water resources.
- 3) The Township will cooperate with provincial agencies to ensure that:
 - a) Water quality and quantity goals and objectives identified in a source protection plan are achieved; and
 - b) All abandoned, unused, or 'dry' wells are properly decommissioned.

4.3 Natural Heritage

Council encourages the long-term protection and enhancement of natural heritage features and areas. Natural heritage features and areas are lands that represent the legacy of the natural landscape of the area and as a result have important environmental and social value. This Plan identifies natural heritage features by way of overlays.

4.3.1 Habitat of Endangered and Threatened Species

Habitat of Endangered Species and Threatened Species are defined based on the *Endangered Species Act* and the Species at Risk in Ontario (SARO) list. Proposals for development and site alteration shall be screened for areas of documented occurrences of endangered and threatened species including general and regulated habitats and shall be required to demonstrate compliance with the *Endangered Species Act*. In order to protect the exact location of such habitat or species, MECP shall be consulted for further information.

- 1) Where there is potential habitat of endangered and/or threatened species, an ecological site assessment (ESA) will be required in support of a planning application. Development and site alteration may be permitted in the Significant Habitat of Endangered or Threatened Species subject to the authorization under the *Endangered Species Act*.

4.3.2 Significant Wetlands

Wetlands are areas of swamps, bogs, marshes, or fens which are valuable in their natural state for biological, social, or hydrological reasons. Provincially Significant Wetlands have been evaluated based on their functions and features and classified according to their significance by NDMNRF.

No Provincially Significant Wetlands have been identified in the Township as of the date of adoption of this Plan. Despite this, it is possible for Provincially Significant Wetlands to exist. Should any Provincially Significant Wetlands be identified in the future without the need for an amendment to this Plan identifying the Provincially Significant Wetland, the policies of this section shall apply.

- 1) Development and site alteration within Provincially Significant Wetlands is not permitted. The only permitted uses shall be:
 - a) Open space and passive recreational uses which do not involve site alterations and do not adversely affect the natural features or ecological functions of the wetland;
 - b) Conservation uses which improve the ecological functions of the wetland; and
 - c) Uses of a scientific or educational nature.
- 2) Development and site alteration shall not be permitted on adjacent lands within 120 metres of a Provincially Significant Wetland unless an Environmental Impact Study (EIS), which is carried out by a qualified professional in accordance with Section 4.4 of this Plan, has evaluated the ecological function of the adjacent lands and has demonstrated that there shall be no negative impact on the natural features or their ecological function.

4.3.3 Significant Wildlife Habitat

Significant wildlife habitat identified in the Planning Area includes:

- a) Moose Aquatic Feeding Areas; and
- b) Moose Wintering Areas; and
- c) Stick Nests.

The above-noted features may or may not be shown on the Schedules.

- 1) Development in areas of significant wildlife habitat or within 120 metres of significant wildlife habitat shall be permitted only where an EIS, which is carried out by a qualified professional in accordance with Section 4.4 of this Plan, has demonstrated that there shall be no negative impact on the habitat or its ecological function. In the case of adjacent lands, the ecological function of the adjacent lands must also be evaluated.
- 2) Mitigation measures beyond 120 metres of the feature may be required to ensure no negative impact on the habitat or its ecological function.
- 3) Planning applications that would result in site alteration for lands outside the boundary of a settlement area and where there is potential for significant wildlife habitat to be present, shall be required to submit a preliminary ESA to determine if there is significant wildlife habitat present on the site as part of a complete application.

4.3.4 Fish Habitat

The Township's shorelines, streams, and lakes support a variety of recreational fisheries. However, these habitats are vulnerable to degradation from a variety of sources. NDMNRF is the provincial fisheries manager and shall be consulted to determine what fish community information may be available for a specific location prior to development. Known fish spawning areas and significant fish habitat are indicated on the Schedules to this Plan.

Serious harm to fish that are part of a commercial, recreational, or Aboriginal fishery or harm to fish that support such a fishery is prohibited under the *Fisheries Act*.

- 1) Development and site alteration shall not be permitted in identified fish habitat except in accordance with provincial and federal requirements.
- 2) Development and site alteration shall not be permitted within 30 metres of fish habitat, except in accordance with relevant provincial and federal requirements. Development that proposes a decrease to the 30 metre setback shall only take place where it has been demonstrated, through a fish habitat assessment, that a net environmental gain of the productive capacity of the area will be achieved. In this assessment, a fish habitat biologist shall be required to provide a detailed impact analysis exploring development design and location options for the purpose of clearly demonstrating avoidance of any predicted harmful impacts.
- 3) Development in areas within 120 metres of fish habitat shall be permitted only where an EIS, which is carried out by a qualified professional in accordance with Section 4.4 of this Plan, has demonstrated that there shall be no negative impact on the habitat or its ecological function. In the case of adjacent lands, the ecological function of the adjacent lands must also be evaluated.

4.3.5 Areas of Natural and Scientific Interest

Areas of Natural and Scientific Interest (ANSIs) are areas of land and water containing natural landscapes or features, which have been identified as having values related to protection, appreciation, scientific study, or education. No ANSIs have been identified as of the date of adoption of this Plan. Despite this, it is possible for ANSIs to exist in the Township.

- 1) Development and site alteration shall not be permitted within ANSIs or on adjacent lands within 120 metres of an ANSI unless an EIS, which is carried out in accordance with Section 4.4 of this Plan by a qualified professional, has demonstrated that there shall be no negative impact on the adjacent lands or their ecological function.

4.3.6 Land Stewardship

The importance of land stewardship in the municipality is recognized and the Township shall:

- 1) Encourage, support, and initiate, as appropriate, public education and awareness initiatives for the protection, rehabilitation, and enhancement of natural heritage features;
- 2) Encourage innovative development patterns and techniques that support and strengthen natural heritage features; and
- 3) Encourage land stewardship options, including protecting private lands through easements, purchase, tax incentives, and dedication to land trusts to preserve and enhance natural heritage features.

4.4 Environmental Impact Studies

Requirements for Environmental Site Assessment and Environmental Impact Studies are provided in Appendix B to this Plan.

4.5 Cultural Heritage

4.5.1 Cultural Heritage Resources

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

The Township values the heritage aspects of the former CN Station and Roundhouse (Shops) because of their historical associations with the founding of the Township as part of a railway transportation route and their architectural values. However, these sites have not been designated by the Province or Township. As of 2020 the former CN Station was torn down, but the Roundhouse (Shops) remain.

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

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

- 1) All new development permitted by this Plan shall conserve significant cultural heritage resources and shall, wherever possible, incorporate these resources into any new development plans. In addition, all new development will be planned in a manner which preserves and enhances the context in which cultural heritage resources are situated.
- 2) Where development or site alteration is proposed on a property containing a designated heritage building or heritage conservation district (Parts IV and V of the *Ontario Heritage Act*), or on a property fronting on or directly abutting a property that is designated as a heritage building, a Heritage Impact Assessment (HIA) shall be required. The HIA shall be conducted by a qualified professional with expertise in cultural heritage resources to:
 - a) Identify the positive and adverse impacts on the heritage resource that may be expected to occur as a result of the proposed development;
 - b) Describe mitigation measures that may be required to prevent, minimize, or mitigate the adverse impacts; and
 - c) Demonstrate that the proposed development will not adversely impact the defined cultural heritage value of the property, and/or its streetscape/neighbourhood.

- 3) A HIA may be required when a proposed development appears to impact cultural heritage resources which are not designated but which have the potential for cultural heritage value or interest, including adjacent lands contiguous to a protected heritage property.
- 4) The *Ontario Heritage Act* may be utilized to conserve, protect, and enhance significant cultural heritage resources within the Township through the designation, by by-law, of individual properties, heritage conservation districts, and/or landscapes sites. The Township Council may also establish a Municipal Heritage Committee (MHC) pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist on cultural heritage matters.
- 5) Applicants shall consult First Nations where cultural heritage resources involve First Nations heritage sites or burial grounds. The applicant shall seek the First Nation's advice on the manner in which these resources and features are to be dealt with.
- 6) The Township shall consider and support preservation of the CN Roundhouse (Shops) and carefully consider future development and redevelopment of these resources.

4.5.2 Archaeological Resources

Archaeological potential is determined through criteria established by the province. Such criteria include known archaeological sites, proximity to water, current or ancient shorelines, cemeteries, sandy soils, rolling topography, unusual landforms, historic transportation features such as portage routes, places of past human settlement, or places significant to history and understanding of a people or place. Significant First Nations and non-First-Nations cemeteries or unmarked burial sites may also be considered as archaeological resources.

- 1) In the event that human remains or cemeteries are encountered during site assessment or development, all work shall cease and the site shall be secured. The appropriate authorities shall be notified and the required provisions under the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall be followed. All relevant First Nations communities shall be consulted for input where any burial site or remains is considered to be of potential First Nations origin. The applicant and/or Council shall seek the First Nation's advice on the manner in which these resources and features are to be dealt with. The Township Council may require that the development proponent retain archaeologists licensed under the *Ontario Heritage Act* to assess or monitor the site and recommend conservation strategies.
- 2) Where a development proposal or waterfront development or site alteration is located on lands with significant archaeological resources or is within an area considered to have archaeological potential, a licensed archaeologist, through archaeological fieldwork, shall determine which stages of assessment are required.
- 3) A Phase I Archaeological Assessment in accordance with requirements of the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) shall be required to determine the nature and extent of the resources on the site. The study shall be conducted by an archaeologist licensed under the *Ontario Heritage Act* and shall be submitted to Council and the MHSTCI prior to development approval.

- 4) Where resources are found on site, further investigations through a Phase II and potentially Phase III Archaeological Assessment may be required. The study may identify the need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals. In situ preservation is preferred to ensure that the integrity of the resource is maintained. If the site is determined to be significant the development may be prohibited.
- 5) Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.
- 6) The Township shall consider the interests of First Nations and Indigenous communities in conserving cultural heritage and archaeological resources.

4.5.3 Marine Heritage Resources

- 1) A marine archaeological survey to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* may be required if partially or fully submerged marine features or items of cultural heritage value are identified and impacted by shoreline and waterfront developments.
- 2) Any marine archaeological resource that is identified must be reported to the MHSTCI immediately. MHSTCI shall determine whether the resource shall be left on location or may be removed, through excavation, by licensed marine archaeologists.

4.6 Natural Hazards

It is the intent of Council to minimize the risk to public safety and to property by restricting development within areas identified as being susceptible to natural hazard processes, such as flooding, erosion, and wildland fire.

- 1) Development is strictly prohibited in areas of natural hazards for:
 - a) Uses associated with hospitals, nursing homes, schools, and day cares, where there is a threat to safe evacuation of the sick, the elderly, persons with disabilities, or the young during an emergency as a result of flooding, failure of flood-proofing, and/or erosion;
 - b) Essential emergency services such as fire, police, ambulance stations, and electrical substations that could be impaired in the case of flooding, failure of flood protection works, and/or erosion; and
 - c) Uses associated with the disposal, manufacture, treatment, or storage of hazardous substances and outdoor industrial storage.
- 2) Decisions should also consider the potential of climate change to increase risks associated with natural hazards.

4.6.1 Flooding Hazards

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

For the purpose of this Plan, a flood plain shall mean low lying lands adjacent to the Jackfish River, lakes, and watercourse corridors defined by the 1:100 year flood plus wave up-rush where applicable or defined by specific right-to-flood levels.

Some flood plain areas are identified as an overlay on the Plan Schedules; however, it is recognized that not all flood plain areas may be identified. In specific the flood plain for the Jackfish River is based on mapping from the 1987 Official Plan Amendment. In the event that revised flood plain mapping by the Township or other proponents are prepared, the revised flood plain mapping will be used without need to formally amend this Plan.

- 1) Where a proponent is proposing to develop in close proximity to a watercourse or waterbody where a flood line study has not been completed, the proponent shall be required to undertake a detailed flood line study.
- 2) Development shall not be permitted within the flood plain except for:
 - a) Flood and/or erosion control structures;
 - b) Shoreline stabilization;
 - c) Minor additions and/or renovations to existing structures which do not affect flood flows;
 - d) Minor recreational facilities which, by their nature, must locate near watercourses; or
 - e) Uses such as agriculture, forestry, conservation, wildlife management, and similar activities, provided that no associated buildings and structures are located on the flood plain.

4.6.2 Erosion, Unstable Soils, and Steep Slopes

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

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

- 1) Land uses that are in conformity with the underlying land use designation may be permitted, subject to satisfying the policies of this Section, except for those uses that are explicitly prohibited. Existing buildings and structures shall be recognized as permitted uses.
- 2) A geotechnical study shall be required for proposed development on sites with potential for erosion, unstable soils, or steep slopes. The study shall be completed by a qualified geotechnical engineer, consistent with criteria established in NDMNRF guidelines. For new development, the geotechnical study shall satisfy that the hazards can be avoided. In the case of existing development undergoing expansion or change of use, such study will determine how the hazard can be mitigated.

4.6.3 Wildland Fires

Wildland fire hazard and associated risks are created when human activity and development intersect with forested areas. The NDMNRF has reviewed and classified hazardous forest types for wildland fire that are associated with the risk of high to extreme wildland fire.

- 1) Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by NDMNRF. NDMNRF's wildland fire assessment mapping for the Township has been included in Appendix B.
- 2) In the absence of detailed municipal assessments, proponents submitting a planning application may be required to undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the subject lands and adjacent lands (to the extent possible). If development is proceeding where high to extreme risk for wildland fire is present, measures should be identified by proponents to outline how the risk will be mitigated.
- 3) Lands determined to be of high to extreme risk for wildland fire may be designated as Site Plan Control areas.
- 4) Wildland fire mitigation measures which would result in development or site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, or in the habitat of endangered and threatened species except in accordance with provincial and federal requirements.

4.7 Human-Made Hazards

4.7.1 Contaminated Sites

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

Contaminated sites are not mapped as part of this Plan.

- 1) Prior to development on a site that is known or suspected to be contaminated, a Phase I Environmental Site Assessment (ESA) will be required.
- 2) Where a Phase I ESA reveals that a site may be contaminated, a Phase II ESA will be required, in accordance with the relevant provincial regulations, to be prepared by a qualified professional to determine the location and concentration of one or more contaminants on the proposed development site.

- 3) Remediation may be required as a condition of approval, where necessary, to the appropriate MECP standards.
- 4) A Record of Site Condition (RSC) may be required prior to, or as a condition of, development approval on a site which may be or is contaminated in accordance with the *Environmental Protection Act* and relevant provincial legislation or their successors. A RSC is required where a land use is changing to a more sensitive use. The RSC details requirements related to site assessment and cleanup and must be acknowledged by the MECP and uploaded to the Brownfields Environmental Site Registry, confirming that the site has been made suitable for the proposed use. The RSC and MECP acknowledgment will be provided to the Township Council prior to final development approval and issuance of building permits.
- 5) Management of excess soils shall be in accordance with O.Reg. 406/16 On-Site and Excess Soil Management.
- 6) All contaminated lands may be subject to Site Plan Control and/or holding provisions in the Zoning By-law.
- 7) Township Council may consider financial and other incentives through a CIP to promote the redevelopment and reuse of brownfield properties that are subject to environmental constraints.

4.7.2 Waste Disposal Sites and Waste Management

The existing or prior use of lands for waste management may have an effect on future land use and use of adjacent lands. Within the Township, there are three open and two closed waste disposal sites. The municipal active site is located on Becker Road to the east of the urban area. The Township is in the process of undertaking a long-range Waste Management Plan. The Township's landfill is reaching its life expectancy, and the Waste Management Plan is to determine if an expansion to the site or a new site is required. To implement the results of the Township's Waste Management Plan, no amendment to this Plan is required.

The following are the existing landfill sites listed in the MECP landfill sites database as part of the Landfill Inventory Management Ontario (LIMO):

ECA #	Site Name	Location	Status
6672-57HTDH	Becker Road Waste Disposal Site The Corporation of the Township of Hornepayne Township of Hornepayne	Part of Lots 2 & 3, Concession 3 Algoma	Open
A562102	Hornepayne Transfer Site The Corporation of the Township of Hornepayne Township of Hornepayne	Lot 11, Concession 3 Algoma	Open
A562104	Woodwaste Kenogami Lake Lumber Limited Township of Hornepayne	Part of Lots 26 & 27, Concession 10 Algoma	Open
A562101	Ministry of Natural Resources Township of Hornepayne	Lot 27, Concession 1 Algoma	Closed

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ECA #	Site Name	Location	Status
A562103	W. Government Lake Ministry of Natural Resources Township of Hornepayne	Southwest 1/4 of the South 1/2 of Lot 28, Concession 1 Algoma	Closed

Development within proximity to Waste Management Sites will be carefully regulated to minimize land use conflicts and the potential for any adverse impacts.

- 1) Development proposals within 500 metres of any open, closed, or inactive Waste Management Site will be accompanied by a study prepared by the proponent that meets the requirements of the MECP Guideline D-4: Land Use on or Near Landfills and Dumps. The study will address any mitigation measures required.
- 2) Use of any closed Waste Management Sites, including buffer areas, will be in accordance with the Certificate of Approval and Section 46 of the *Environmental Protection Act* requiring the approval of the Minister.
- 3) The expansion of existing sites will be permitted subject to the appropriate MECP approvals in accordance with the Environmental Assessment and Environmental Protection Acts and implemented through amendments to the Zoning By-law, if necessary.
- 4) The location of new Waste Management Sites as determined by the Township's Waste Management Plan will not require an amendment to this Plan. New Waste Management Sites will be in accordance with MECP requirements, and depending on the volume, shall require approvals under the *Ontario Environmental Assessment Act*, following Ontario Regulation 101/07, as amended from time to time. When considering a new or expanding landfill site, the Township shall review the following:
 - a) Waste disposal sites shall avoid natural hazards and shall be located an adequate distance away from any natural heritage feature or any existing or proposed residential, commercial, institutional, open space, outdoor recreation uses, or other sensitive land use. A report from a qualified professional which establishes appropriate separation distances based on site-specific considerations will be required for new waste disposal sites.
 - b) All waste disposal sites shall be located and operated so that the contamination of any ground or surface water supply does not occur.
 - c) All waste disposal sites shall be set back a sufficient distance from a public road so that all functions related to the operation of the site can be carried on within the site so that there is no unsightly appearance visible from the road. Landscaping and buffering may be required.
 - d) All waste disposal sites shall be located so that ingress and egress points do not create a traffic hazard.
- 5) Wherever practical and feasible, methane or other greenhouse gas emissions from waste management operations will be captured and used as an alternative energy source. Additional

opportunities for other renewable energy undertakings on any of the waste management sites will be supported.

- 6) Council understands the role that waste reduction and diversion efforts play in increasing the life expectancy of the existing waste disposal site and promoting a sustainable community. Township Council has initiated recycling programs in the community and will continue to encourage initiatives aimed at waste reduction and diversion.

4.8 Land Use Compatibility

Noise, vibration, odour, and other contaminants resulting from certain uses can impact adjacent land uses, and the residents, businesses, and visitors of the Township. Managing these adverse effects is important to ensuring the health and well-being of residents and the compatibility of neighbouring uses so as not to create conflicts.

- 1) In reviewing any development application, Council shall be satisfied that the proposed use will be, or can be made to be, compatible with surrounding uses in accordance with MECP guidelines.
- 2) Influence areas and minimum separation distances between industrial land uses and sensitive land uses will be determined in accordance with MECP Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses. Proponents may be required to provide supporting technical studies, prepared by qualified individuals in accordance with MECP guidelines, to assist in the evaluation of proposed developments and, where applicable, to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures.
- 3) In the absence of technical studies, prepared according to MECP Guideline D-6 which identify an actual influence area, the minimum separation distances required between industrial uses and residential or other sensitive land uses shall be:
 - a) Class I Industries: 70 metres;
 - b) Class II Industries: 300 metres; and
 - c) Class III Industries: 1,000 metres.
- 4) With the support of technical studies, prepared under MECP Guideline D-6, the following minimum separation distances in accordance with MECP guidelines shall apply between industrial uses and residential or other sensitive land uses:
 - a) Class I Industries: 20 metres;
 - b) Class II Industries: 70 metres; and
 - c) Class III Industries: 300 metres.
- 5) Separation distances between potentially conflicting land uses shall be measured in accordance with MECP Guideline D-6.
- 6) Separation distances between sensitive land uses and sewage treatment facilities shall be measured in accordance with MECP Guideline D-2.

- 7) Where residential or other sensitive land uses are proposed in proximity to aggregate operations or lands zoned to permit future aggregate operations, the standards for Class III Industries shall apply.
- 8) New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with MDS Formulae, as amended from time to time.
- 9) Separation distances or appropriate remedial measures use will be established in the Zoning By-law or through development approval processes.
- 10) Residential areas, and other sensitive land uses, such as hospitals and nursing homes, will be protected from undesirable air quality and excessive noise/vibration through good land use planning, Site Plan Control, and building control. Proponents may be required to carry out noise and/or vibration assessments or other technical studies and determine control measures, which are satisfactory to Council, in meeting the MECP's recommended sound and vibration limits in accordance with MECP Environmental Noise Guideline NPC-300 or its successors.
- 11) For any proposed residential development or other sensitive land use in close proximity to a major source of noise, vibration, or emissions, such as a provincial highway, an airport, a railway, or aggregate operation, or where a development which could be a major source of noise proposes to locate in close proximity to existing residential development or other sensitive land use, the proponent may be required to conduct a noise, vibration, and/or emissions study. The study shall be prepared in accordance with Provincial guidelines, including NPC-300, satisfactory to Township Council and the recommendations may be incorporated into a development agreement. Council will consider any potential noise problem in determining the appropriateness of the proposed development.
- 12) Uses proposed within these buffer areas may be subject to noise feasibility and/or detailed noise studies in accordance with NPC-300 or its successors.
- 13) Where planning approvals are required for the development of residential or other sensitive land uses within one kilometre of an airport, an impact assessment addressing noise in accordance with NPC-300 and other potential impacts will be required. Impact assessments shall be completed by a qualified consultant and shall describe mitigation measures required to achieve provincial standards for aircraft noise criteria.

5 Infrastructure

Growth and development are serviced in the Township through a system of infrastructure, which includes roads, trail systems, water and sewage services, waste management, and shared services. These systems play an important role in defining the Township and ensuring its sustainability, in terms of community health, economic competitiveness, and environmental awareness. The policies of this Plan strive to ensure the efficient and cost-effective coordination between the growth management framework and the provision of systems of networks and infrastructure.

The Township's recently completed Asset Management Plan (AMP) provides an assessment of the Township's assets, including their condition and replacement value. The Township currently has \$72.8 million in assets, with 64% of those assets that were assessed in fair or better condition. The AMP reviewed growth scenarios which indicated there may be a need for additional infrastructure to support growth, but requirements would likely be minimal. The AMP also noted that under a high growth scenario population would see rapid initial growth before plateauing which would likely require the expansion of infrastructure services. This Plan targets an area between these two AMP growth scenarios, meaning that significant development proposals will need to be reviewed with respect to servicing and infrastructure requirements in coordination with the Township's AMP to review the lifecycle costs of growth-related infrastructure and ensure investments in capital and operating costs are financially sound.

- 1) Extensions to existing infrastructure may proceed without amendment to this Plan provided the extension is to improve the local road or infrastructure system. Minor extensions may be permitted for development purposes provided that the road or service extension is constructed to municipal standards at no cost to the Township and that Council is satisfied that the extension and subsequent operations and maintenance costs are justified.
- 2) Future investments in infrastructure shall be coordinated with the Township's AMP.

5.1 Transportation

5.1.1 Municipal Roads

- 1) Proponents shall consult with the Township prior to establishing an entrance or access to a municipal road. Direct access to these roads will only be permitted in locations which can accommodate traffic in a safe manner. Where sight deficiencies exist because of curves or grades, no new access will be permitted unless the deficiency is corrected in a manner acceptable to the Township, at the proponent's expense.
- 2) Standards for new municipal roads will be determined by the Township for engineered design, layout, drainage, and construction. Where new municipal roads are constructed as part of a development, the developer will be responsible for the cost of construction.
- 3) The Township may consider alternative development standards, including reduced right-of-way widths for development within the Urban Settlement Area or other established areas.
- 4) Development proposals adjacent to a municipal road shall be designed such that outdoor storage and loading areas are visually screened and appropriately located.

5.1.2 Private Roads

Private Roads are roads that are not owned or maintained by the Township or Province and that service two or more properties in separate ownership. A private road may include a right-of-way registered on title or may be created by plan of common elements condominium. In contrast, a driveway provides access to only one property or legally conveyable lot, despite the length of the access.

- 1) There is no legal obligation on the part of the Township to maintain or repair private roads or provide municipal or emergency services to any development located on a private road. It is the intention of the Township to require agreements to ensure the responsibility for maintenance of private roads.
- 2) Development on private roads and the creation of new private roads in the Urban Settlement Area shall only occur as roads internal to plans of condominium or mobile home parks.
- 3) Development on private roads and the creation of new or extended private roads may be allowed in the Rural or Shoreline Areas.
- 4) New private roads must be directly connected to a public road which is maintained year-round or have legal access (i.e. easement) granted over an existing private road.
- 5) New or extended private roads must have a legal right-of-way established over the full length of the private road.
- 6) New or extended private roads shall be developed under joint use agreement and must be registered against the benefitting lands, which is binding on all assigns and successors in title, setting out the following:
 - a) Procedures and standards for maintenance of the road, acknowledging that the Township will not be responsible for the repair or maintenance of private roads or the provision of services to any development located on a private road;
 - b) Agreement amongst all owners for establishment and collection of fees for construction and maintenance of the road;
 - c) A dispute resolution protocol, should owners disagree with respect to fees, construction, maintenance, standards, or other matters pertaining to the private road;
 - d) Acknowledgment and agreement that the Township does not have any liability or responsibility for maintenance of the road or the provision of services;
 - e) Acknowledgment and agreement that the Township will not assume any private road unless it has been built to municipal standards, and notwithstanding its construction to an acceptable municipal standard, the Township is under no obligation to assume ownership and/or responsibility for the maintenance of the road; and
 - f) Any other matters that the Township may consider relevant.

5.1.3 Provincial Highways

Highway 631 is a provincial highway that goes through the centre of the Township and connects the municipality to Highway 17 at White River to the south and Highway 11 to the north, approximately 60

kilometres west of Hearst. Highway 631 is owned and maintained by the MTO. Accordingly, right-of-way widths and setbacks will be determined by the MTO.

MTO has a patrol yard located at Lot 13, Concession 4.

- 1) All proposed development located within MTO’s permit control area under the *Public Transportation and Highway Improvement Act (PTHIA)* is subject to MTO approval. Any 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 MTO’s permit control area will be subject to MTO’s policies, standards, and requirements. Direct access will be discouraged and often prohibited.
- 2) MTO’s Permit Control Area for entrances, buildings, and land use applies around Highway 631 as follows:

An MTO permit is required if you want to ...	Within this distance ...
Place a building, structure, entrance, or any road	45 metres of the limit of any highway 180 metres of the centrepont of an intersection with the highway
Place a sign	400 metres of the limit of the highway
Major developments or uses (i.e. shopping centre, stadium, fair ground, race track, drive-in theatre, or any other purpose) that cause persons to congregate in large numbers	800 metres of the limit of the highway

- 3) For development along Highway 631 which may be subject to additional MTO requirements and standards, particular attention should be given to the orientation and design of any proposed development to ensure it complements and contributes to the character of the area.
- 3) Development proposals adjacent to a provincial highway shall be designed such that outdoor storage and loading areas are visually screened and appropriately located.
- 4) For proposals that may generate large amounts of traffic within the permit control area, the MTO may require a proponent to prepare a traffic impact assessment in accordance with MTO guidelines.
- 5) Council supports and encourages active transportation and would support paved shoulders on roads under provincial jurisdiction to assist the Township in allowing for active transportation to meet its healthy, sustainable community goals.

5.1.4 Active and Recreational Transportation

A shift towards active lifestyles, accessible communities, and increasing demands for sustainable modes of transportation presents a need for a useful and accessible walking, cycling, and skiing network in the Township. This Plan recognizes that pedestrian, bicycle, and ski trails and paths contribute to healthy communities and supports such sustainable modes of travel. The Township encourages the development and enhancement of pedestrian and shared use of non-motorized trails and bicycle routes.

- 1) The Township shall work with the province, recreational groups, landowners, and other groups towards developing a network of trails and pathways which links destinations in the broader community in order to:
 - a) Improve the sustainability of the transportation system;
 - b) Provide safe, non-motorized access to major activity areas, including the Township's recreational areas such as the Buttercup Trails and Cedar Point Park;
 - c) Provide health benefits to residents and visitors; and
 - d) Increase peoples' connections to their community.
- 2) The Township shall also encourage the development of trails and pathways in conjunction with proposed plans of subdivision or development proposals. The feasibility of incorporating trails and pathways into proposed development will be assessed on the basis of the following:
 - a) The continuity of the route system within and between developments;
 - b) The potential linkages that could be provided between major activity areas to encourage usage;
 - c) The minimization of conflicts between motorized and non-motorized travel; and
 - d) Its design in regards to public safety, emergency access, and maintenance.
- 3) Trails or pathways proposed to cross or run along the right-of-way of provincial highways require the approval of MTO.

5.1.4.1 Recreational and Snowmobile Trails

It is an objective of the Township to encourage recreation on trails. Trails and snowmobile routes form an important component of the Township's transportation system and economy. Where available, these routes are shown on Schedules, but the location of these routes may change without amendment to the Plan.

- 1) The Township supports the Geographic "Centre of Ontario" trail development and will continue to actively work with NDMNRF and MTO to develop the walking trails, parking area, access, and interpretive area for this feature.
- 2) The Township supports the Buttercup Trails and will continue to actively work with NDMNRF to preserve and enhance this trail network and provide supporting infrastructure and land use in the immediate area.
- 3) The Township will encourage the creation of a linked trail network connecting major activity areas.

5.1.4.2 Pedestrian and Cyclists

It is an objective of the Township to encourage accessibility and active transportation.

- 1) Where possible, the Township will encourage the provision of sidewalks and/or paved shoulders on municipal and provincial roads.

- 2) Where Council considers it appropriate, new development or redevelopment will be required to provide pedestrian walkways, sidewalks, bike lanes/paths, and/or bike racks constructed to an appropriate standard.
- 3) When undertaking public works and where appropriate, Council may include the provision of facilities which address the needs of pedestrians and cyclists.
- 4) To encourage pedestrian and cyclist travel, streetscapes and roadways should be safe, convenient, and attractive for pedestrians and cyclists. This may include: providing sidewalks; locating commercial uses at street level; encouraging building design that provides shelter, appropriate lighting, street furniture, and landscaping; and providing paved shoulders and bike racks.

5.1.5 Railway

The location of the Township is largely due to the presence of the CN transcontinental line was built through the area. Hornepayne remains a divisional point on the railway, marking the point where two rail subdivisions join with each other. In addition, there is an industrial rail spur outside of the Township supporting the lumber mill and resource development in the area. Passenger rail also stops in Hornepayne on its TransCanada route. It is the intent of the Plan that the long term operation and economic role of the railway be protected for its importance to the economic well-being of the community and as a hub on the TransCanada railway line.

5.1.6 Airport

The Hornepayne Municipal Airport (YHN) is located to the south and east of the urban area of the Township. It is used mainly by NDMNRF, the Ministry of Health, private corporations, and private pilots. It is the intent of the Plan that the airport be maintained and its long-term operation and economic role be protected in acknowledgement of its importance to the economic well-being of the community and to provide air ambulance services.

5.2 Water and Sewage Systems

Township Council will plan the provision of municipal water and sewer services to accommodate growth so that servicing is timely, cost efficient, environmentally sound, and within the financial means of the Township. The Township is planning on undertaking a Water/Wastewater Master Plan to guide future servicing decisions as they relate to growth and development and redevelopment.

- 1) Within the existing municipal servicing area of the Township, urban development or redevelopment shall be on the basis of municipal water and sewer systems. However, outside of the existing serviced area, partial, private, or communal servicing systems may be used where municipal services are not provided to service new development in accordance with the policies of this Plan.
- 2) This Plan may be amended to reflect the outcomes and recommendations of the Township's Water/Wastewater Master Plan.

5.2.1 Full Municipal Services

The Township provides municipal water and sewer services generally within the Urban Settlement Area, as shown on Schedule A. There is no plan to expand municipal water services within the Township during the planning horizon. The sewage treatment plant is dated and will require upgrades and maintenance during the planning horizon. Expansions or locating of a new sewage treatment facility shall comply with MECP Guideline D-2.

- 1) Priority shall be given to the development of land that is presently serviced by municipal water and sewer systems, or those areas that can most easily be serviced, at minimal expense.
- 2) Prior to development approval involving significant lot creation and/or development, the Township shall require the preparation and approval of a functional servicing report. Notwithstanding any land use designations, limitations on the capacity or operating performance of the municipal water and sewage systems will be a constraint to further development. The Township will continue to monitor treatment capacities and operational effectiveness of these municipal systems.
- 3) Where the servicing of new urban development requires extensions and/or improvements to the existing public piped systems, such servicing will generally be financed, constructed, and maintained by the proponent before being turned over to the Township. Where the servicing of new urban development requires improvements to an existing substandard public piped system, the proponent will generally contribute his/her share towards the total costs of improving the system. Prior to construction, water distribution or sewer collector systems must be approved by the responsible authorities. New lot/unit creation will be subject to the availability of adequate reserve servicing capacity, as determined by the Township.
- 4) When unallocated servicing capacity does not exist for a proposed development, the Township may refuse the application or zone the property with a holding symbol not to be removed until such time as adequate servicing capacity becomes available.
- 5) The application of a holding symbol in accordance with the policies of Section 6.3.1.1 of this Plan may be implemented until such time as municipal water and sewage systems or additional capacity are available.
- 6) Areas on Railway Crescent and at the western end of 3rd Avenue, within the Urban Settlement Area, are not currently on full municipal services and are not planned to be fully serviced. Minor infilling will be permitted subject to the partial and private services policies in Sections 5.2.2 and 5.2.3.

5.2.2 Partial Services

Parts of the Urban Settlement Area are serviced with municipal water and private sewage services. These areas are planned for continued partial servicing.

- 1) Continued use of existing partial services is permitted within the Urban Settlement Area to allow for infilling and minor rounding out of existing development on partial services, where site conditions are suitable for the long-term provision of such services with no negative impacts.

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

5.2.3 Private Services

The primary means of servicing the area beyond the existing servicing limits are private services of a variety of types and technologies.

- 1) The extension of municipal water services to areas outside of the Urban Settlement Area will only be considered to address an existing water quality problem associated with an existing development or lot of record. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.
- 2) The installation of septic systems is subject to the approval of Porcupine Public Health, provided septage capacity has been confirmed and where site conditions are suitable for the long term. The Health Unit may require a servicing report prior to approval.
- 3) As a result of evolving technology in the field of private sewage disposal systems, the Township does not wish to limit the types of sewage systems that may be considered. However, the Township must be satisfied that any proposed sewage disposal system has the approval of the Health Unit and/or the Province and that sufficient data exists to indicate that the system will operate properly for the long term, without any negative impact on the natural environment.
- 4) Evaluation of new development will be undertaken using MECP's Procedure D-5-5 to ensure that drinking water will meet treatable drinking water quality standards for the health parameters.
- 5) Where subdivisions are created proposed with an average lot size below 1.0 hectare on private services a hydrogeological study shall be required to demonstrate the proposed lots can safely accommodate sewer and water services.
- 6) For consent applications, involving the creation of lots less than 1.0 hectare, or in other circumstances, where concerns are identified, the Township may require the proponent to undertake a hydrogeological study or assessment, prior to approval of the severance.
- 7) Only dry industries that do not require large amounts of water for processing, cooling, washing, or manufacturing shall be allowed on individual private sewage systems.
- 8) The application of a holding symbol in accordance with the policies of this Plan may be implemented until such time as appropriate permits are received for the provision of private water and/or sewage systems.

5.2.4 Septage

Septage is the liquid and solid material pumped from a septic tank, cesspool, or other primary sewage treatment source. The Township has an organic waste site that receives this material.

- 1) Prior to approving creation of a new lot on private services by plan of subdivision or consent, Council shall require that proponents demonstrate adequate septage treatment capacity by

providing a letter, signed by the holder of the Environmental Compliance Approval (ECA) for a treatment facility, indicating that capacity for the development's septage exists.

5.3 Stormwater Management

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

- 1) Development of any property should include consideration for surface and stormwater management respecting the rights of existing properties to enjoy continued drainage. The result of the new development should minimize the rate at which surface water is directed away from the proposed development.
- 2) Prior to development approval, Council may require a stormwater management plan and shall be satisfied that adequate stormwater management and drainage to a suitable outlet (i.e. stormsewers, ditches, etc.) are provided. Township Council may require detailed stormwater design plans completed in accordance with guidelines of the current MECP Stormwater Planning and Design Manual for all commercial, industrial, and institutional development, and residential development of five units or more. Council may recommend additional specific requirements on a case-by-case basis. Council will protect water intake areas.
- 3) Stormwater management plans for development adjacent to and in the vicinity of a provincial highway must be prepared in accordance with MTO guidelines and must be reviewed and approved by MTO.
- 4) The plan will include identification of the receiving waterbody, design objectives to be applied, and a description of the stormwater management practices to be applied, in accordance with the relevant Provincial policies and guidelines. Proponents are encouraged to consult with the relevant ministries and agencies.
- 5) Increases in runoff from development shall be minimized in accordance with best management practices and watershed needs. The impact of any proposed development on local and area-wide drainage patterns shall be identified. An appropriate method of managing surface runoff shall be developed and implemented as a condition of approval, according to the following policies:
 - a) Post-development flow rates shall not exceed pre-development flows;
 - b) Plans shall minimize or prevent increases in contaminant loads;
 - c) Retention of existing tree cover and natural vegetation or the provision of grassed and natural areas shall be encouraged to facilitate absorption;
 - d) Erosion and siltation control measures shall be included in grading and drainage plans;
 - e) Developments which could have a significant impact on surface drainage shall provide comprehensive drainage plans showing methods of surface water disposal and any impacts on adjacent or affected properties; and

- f) Low Impact Development (LID) alternatives, to manage stormwater as close to its source as possible, will be encouraged, especially for larger scale developments;
 - g) Use of best management practices; and
 - h) Other matters as determined by the Township.
- 6) Stormwater management policies will be required to comply with the *Ontario Water Resources Act*.

6 Implementation

This Official Plan will be implemented by the Township and other approval authorities as appropriate by means of the powers conferred by the *Planning Act*, the *Municipal Act*, and other statutes as may be applicable. In particular, the Official Plan will be implemented by the enactment of zoning, property standards, and occupancy by-laws, the planning tools available to the Township, development control under the *Planning Act*, and the undertaking of public works.

6.1 Monitoring the Plan

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

6.1.1 Review Procedure

- 1) As provided for in the *Planning Act*, the Township will update the Plan as required and the process will include public consultation to provide the opportunity for interested citizens and organizations to present submissions on the Plan.
- 2) Through this process, the Township will determine the need to amend the Plan to ensure that the policies:
 - a) Remain realistic and appropriate with regard to changing social, economic, and environmental circumstances;
 - b) Conform or do not conflict with provincial plans;
 - c) Have regard to matters of provincial interest; and
 - d) Are consistent with any policy statements issued under subsection 3(1) of the *Planning Act*.
- 3) In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario or other planning initiatives, or in response to judicial or quasi-judicial decisions, including those of the Ontario Land Tribunal, the Township may initiate an amendment process at any time.

6.1.2 Amendments to the Plan

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

The Township is responsible for adoption of Official Plan amendments. The Township will consider all complete applications to amend this Plan, and will notify the public, the Ministry of Municipal Affairs and Housing (MMAH), and other agencies in accordance with the requirements of the *Planning Act*.

Applications to amend the Plan may require a planning rationale to demonstrate consistency with Provincial policy and the need for such amendment to the Plan.

6.2 Cross-Jurisdictional Coordination

The Township may choose to work with the Province, area municipalities, First Nations and Indigenous communities, and other agencies when dealing with planning matters that go beyond the boundaries of the Township.

6.3 Planning Administration

6.3.1 Zoning By-law

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

- 1) Following approval of the Plan, Township Council shall enact a new Zoning By-law to implement this Plan that will establish specific zones and permitted uses that reflect the policies and land use designations of this Plan and may regulate minimum and maximum height and density requirements.
- 2) The implementing Zoning By-law shall conform to the policies and designations of this Plan.
- 3) It is not the intent of this Plan to necessarily zone all land for uses designated in this Plan and as such, the Zoning By-law may recognize existing uses and forms of development.
- 4) Areas may be zoned in a holding zone category as provided for in the *Planning Act*, and in accordance with the policies of this Plan.

6.3.1.1 Holding Symbol

Council may pass Zoning By-laws containing 'holding' provisions that prevents development from occurring until they are satisfied that certain conditions have been met. This allows the Council to indicate support for the development in principle, while identifying the need for additional actions prior to development proceeding.

- 1) The holding symbol (H) may be used in the following instances:
 - a) When certain details of development have not yet been determined, or where certain conditions of development have not yet been met, such as, but not limited to, development or servicing agreements with the Township;
 - b) When the level of community services and/or infrastructure is not yet adequate to support the proposed use;

- c) Where environmental conditions or constraints temporarily preclude development or redevelopment; and
 - d) Where required studies have not yet been approved by the Township.
- 2) The Zoning By-law containing the holding provisions specifies the interim land uses to be permitted, the conditions for removal of the holding provision, and any regulations or restrictions applying to the lands during the time the holding provision is in place; and
 - 3) A by-law to remove the holding symbol may be adopted when all the conditions set out in the holding provision have been satisfied.

6.3.1.2 Temporary Use By-law

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

- 1) A temporary use shall be deemed to conform to the policies of this Plan, and an Amendment to this Plan shall not be required. Notwithstanding, temporary uses shall not be permitted in areas subject to hazards or containing significant natural features.
- 2) The Township may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by the Township to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation are not practical.
- 3) Council shall consider the following in evaluating temporary uses:
 - a) The proposed use will be of a temporary nature, and will not entail major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions;
 - b) The proposed use will not negatively impact the surrounding land uses and character of the surrounding area;
 - c) The proposed use will be properly serviced and not require the extension or expansion of existing municipal services;
 - d) The proposed use will not create any traffic problems within the surrounding area, or adversely affect the volume and/or type of traffic commonly found on the area's roads;
 - e) The proposed use will provide parking facilities entirely on-site; and
 - f) The proposed use will generally be beneficial to the surrounding community.

6.3.2 Interim Control By-law

Council may pass Interim Control By-laws to control the use of land, buildings, or structures within designated areas of the Township and in accordance with the provisions of Section 38 of the *Planning Act*

in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by Council.

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

6.3.3 Site Plan Control

The entire municipality is designated for Site Plan Control pursuant to the *Planning Act*, and Council may specify exceptions in the Site Plan Control By-law. Notwithstanding, Council may impose Site Plan Control on exempted properties during the development application review process where warranted.

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

- 1) Where a Site Plan Control By-law is in effect, the proponent will submit for approval such plans or drawings as required by Council. The proponent may also be required to enter into an agreement with the Township to provide and maintain those facilities required on the site plan. Such agreements may be registered against the land to which it applies.
- 2) As noted in this plan, the following uses should be subject to Site Plan Control:
 - a) Mobile home parks
 - b) Wayside pits and quarries, portable asphalt plants, and portable concrete plants
 - c) Multi-residential development
 - d) Local commercial uses
 - e) Mixed Use Commercial Designation
 - f) Employment Designation
 - g) Rural commercial uses
 - h) Rural Industrial Designation
 - i) Outdoor recreation uses
 - j) Shoreline Designation
 - k) Lands that have high to extreme risk for wildland fire
 - l) Contaminated sites

6.3.4 Development Permit System

The Township may consider adopting a Development Permit By-law in the future.

6.3.5 Existing Uses

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

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

6.3.6 Non-Conforming & Non-Complying Uses

6.3.6.1 Non-Conforming Uses

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

- 1) Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Plan.
- 2) Council will use the following guidelines when assessing any application for an extension or enlargement of a use that is considered to be a legal non-conforming use:
 - a) The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses;
 - b) The extension or enlargement should be in reasonable proportion to the existing use and land on which it is to be located;
 - c) The compatibility of the extension or enlargement to surrounding uses with regard to noise, vibration, fumes, smoke, dust, odours, lights, and traffic generation will be examined;
 - d) Adequate buffering, setbacks, and any other measures necessary to reduce the nuisance will be required and, where possible, will be extended to the existing use;
 - e) Proper access to the site will be provided to ensure that no traffic hazards are created;
 - f) Adequate on-site parking and loading space will be provided;
 - g) Applicable services, such as storm drainage, water supply, sewage disposal, and roads are adequate or will be made adequate; and
 - h) Neighbouring uses will be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made.
- 3) An existing building or structure that is zoned as a non-conforming use may be reconstructed or strengthened to a safe condition, provided the external dimensions and use of the building or structure are generally not changed.

6.3.6.2 Non-Complying Uses

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

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

6.3.7 Property Standards

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

6.3.8 Pre-Consultation

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

- 1) Council encourages pre-consultation for development applications for which the Township is the approval authority. Council may pass a by-law requiring pre-consultation for certain types of applications.

6.3.9 Complete Applications

- 1) When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the application shall not be considered complete for processing purposes until the required supporting studies, information, and materials are submitted to the satisfaction of the Township.
- 2) Notification of a complete application shall be given to the applicant and all other parties in accordance with the *Planning Act*.

6.3.10 Supporting Studies and Information

Council or the approval authority may request additional information when considering development proposals or *Planning Act* applications. Such information may be required as part of a complete application or may be required prior to a decision by the Council or approval authority on a proposed development. Such information may include, but is not limited to, any of the following:

- 1) Hydrogeological and terrain analysis report
- 2) Servicing capacity / feasibility / options study
- 3) Groundwater / source water / surface water impact assessment and/or mitigation plan
- 4) Stormwater management report / drainage plan
- 5) Environmental impact study
- 6) Flood plain assessment
- 7) Slope stability study
- 8) Transportation / traffic impact assessment
- 9) Archaeological or Heritage Assessment
- 10) Natural heritage evaluation
- 11) Noise / dust / vibration / odour study

- 12) Market study
- 13) Concept plan showing planned land use
- 14) Geotechnical assessment of an abandoned mine
- 15) Lakeshore capacity assessment
- 16) Record of site condition
- 17) Erosion and sediment control plan
- 18) Any other study identified in the Plan or by Council
- 19) Public consultation strategy

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

6.3.11 Public Consultation

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

6.3.12 Indigenous Consultation

The Township recognizes the importance of working together with its First Nation and Indigenous community neighbours and learning from each other and will continue to work on these relationships.

Consultation with First Nations, Indigenous communities, and Métis of Ontario regarding *Planning Act* applications will occur based on the Township's knowledge and existing relationships with First Nations, Indigenous communities and Métis of Ontario and as directed by the *Planning Act* and all relevant regulations.

6.4 Land Division

6.4.1 Plan of Subdivision and Condominium

Applications for approval of a draft plan of subdivision or condominium will be considered on the basis of the underlying land use designation and the associated policies of this Plan. The approval authority will deal with applications for draft plan approval in accordance with the relevant provisions of the *Planning Act* and the Provincial Policy Statement. Applications that do not conform to the policies of this Plan will not be approved by the approval authority.

- 1) Council shall provide input on municipal conditions of approval for plans of subdivision and condominium.

- 2) Prior to approval of an application for plan of subdivision or condominium, the Township will confirm the availability of adequate servicing infrastructure and allocation, waste management, roads/access, and other amenities in accordance with the policies of this Plan.
- 3) Lots within a plan of subdivision will either have frontage on a public road or a private road in accordance with Section 5.1.2 of this plan with joint use agreement, to the satisfaction of the Township Council. The Township will consider a plan of subdivision which has only private road access. Plans of condominium will have access to a public road maintained on a year-round basis or have legal access granted over an existing private road; however, it is recognized that development within the condominium plan may occur on private roads.
- 4) Where a plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision should be designed such that lots back onto the provincial highway and front onto a local internal street.
- 5) Plans of subdivision or condominium will be appropriately phased to ensure orderly and staged development.
- 6) All plans of subdivision or condominium will be subject to a subdivision or development agreement, as the case may be, between the Township and the development proponent.
- 7) The Township may adopt standards for the development, design, servicing, roads, financing, and other conditions under the subdivision agreement.
- 8) Parkland dedication will be provided pursuant to Section 6.4.3 of this Plan. Land to be dedicated for park purposes must be acceptable to the Township. Under no circumstances will the Township be obligated to accept parklands being offered in a proposed plan of subdivision.
- 9) In approving a draft plan of subdivision, it may be required that the approval lapses at the expiration of a specified time period, being not less than 3 years. The approval time period may be extended, prior to its expiration in accordance with provisions of the *Planning Act*.
- 10) The Township may consider passing a by-law under the provisions of the *Planning Act* to deem registered, undeveloped plans which are inadequate due to matters such as lot size, unsuitable access, or undesirable location, not to be registered.
- 11) The proposed development will be serviced in accordance with the policies of Section 5.

6.4.2 Consents

A consent shall only be considered where a plan of subdivision is deemed to be unnecessary, where the application conforms with the policies of this Plan, is consistent with the Provincial Policy Statement, and the consent will generally not result in the creation of more than five new lots on a lot that existed prior to the date of adoption of this Plan, and it does not necessitate the creation of a new municipal road, or the extension of municipal services.

- 1) Council shall provide input on municipal conditions of approval for consents.
- 2) The proposed lot and retained lot shall have frontage and access on to an opened and maintained public road or have private road access in compliance with the policies of this Plan.

- 3) MTO's policy is to allow only one highway entrance for each lot of record fronting onto a provincial highway. MTO will not allow backlots to create a second entrance on the highway. MTO will not support a consent to separate a home-based business from a residential use which would result in separate entrances for the business and residential parcels.
- 4) Lots will not be created which would create a traffic hazard due to limited sight lines on curves or grades.
- 5) The lot area and frontage of both the lot to be retained and the lot to be severed will be adequate for existing and proposed uses and will allow for the development of a use which is compatible with adjacent uses by providing for sufficient setbacks from neighbouring uses and, where required, the provision of appropriate buffering.
- 6) The proposed lot(s) will not restrict the development of other parcels of land, particularly the provision of access to allow the development of remnant parcels in the interior of a block of land.
- 7) The policies of Section 4.3 to evaluate significant wildlife habitat shall be required when there is an application for the creation of more than three lots as per the Natural Heritage Reference Manual.
- 8) The proposed development will be serviced in accordance with the policies of Section 5.
- 9) The parkland dedication policies of Section 6.4.3 will apply.

6.4.2.1 *Technical Consents*

- 1) Despite the above, consent may be granted in addition to the consent policies outlined above for a technical severance as follows:
 - a) To correct lot boundaries;
 - b) To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized lot for the purpose for which it is being or will be used;
 - c) To correct title to the land;
 - d) Where the effect of the consent does not create an additional lot;
 - e) To permit an easement; or
 - f) To permit a consent for municipal or other public purposes.

6.4.3 *Parkland Dedication*

Council is entitled to a dedication of land for park purposes as a condition on any division of land in accordance with the *Planning Act*.

- 1) The dedication represents a percentage of land area or market value of land, and is calculated at 5% for residential development and 2% for commercial/industrial development. Where land in a draft plan of subdivision or condominium is used for any other purpose, the Township may require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of 5% of the gross area of the land proposed for development.
- 2) Where lands are dedicated for park purposes, the Township Council will use the following criteria to determine acceptability:

- a) The parcel should be well proportioned and usable for either passive or active recreation or for multi-function sites for a variety of users;
 - b) Council may refuse to accept land if the parcel is considered too small and there are no opportunities to acquire adjacent parcels to create an open space area of acceptable size;
 - c) Every attempt shall be made to integrate existing parks and recreational facilities through a system of open space linkages;
 - d) The parcel should be well drained, of gentle slope, easily maintained, and not subject to periodic flooding. More rugged terrain or preservation areas (i.e., flood plains or wetlands) may, however, be incorporated into the park system as an additional contribution if the area is to fulfill a natural, passive, or historical function; and
 - e) Every attempt shall be made to prevent the unnecessary removal of trees in the development of playgrounds.
- 3) The decision of whether to accept a parkland dedication or the alternative cash-in-lieu shall be based on the need to acquire as much parkland as required in the area to meet a variety of needs. These funds shall then be placed in a park reserve fund to be applied toward the purchase of other parkland or to improve and maintain existing parks. Cash-in-lieu of land may be requested by the Township Council in the following situations:
- a) Where there is a public park in the area which is adequate for existing and future population;
 - b) Where the required land dedication fails to provide an area of suitable shape, size or location for development as public; parkland;
 - c) Where the required dedication of land would render the remainder of the site unsuitable or impractical for development; and/or
 - d) Where the Township is undertaking broader land acquisition strategies for larger parks and it is preferable to have consolidated parkland of a substantial size servicing a wide area.
- 4) Parkland dedication or cash-in-lieu may be used for the development of the Township's recreational trail networks.

6.5 Interpretation of the Plan

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

- 1) As the sections of the Plan are interrelated, it shall be read and interpreted in its entirety.
- 2) Defined terms and words used in this Plan are consistent with those as defined in the 2020 PPS and shall be interpreted as such.

- 3) It is intended that land use boundaries shall be considered as approximate, except where bounded by existing roads, rivers, railways, or other clearly defined features. Minor adjustments may be permitted without amendment provided that the intent of this Plan is maintained.
- 4) Technical amendments to this Plan are permitted without a formal amendment, provided they do not change the intent of the Plan. Technical amendments include:
 - a) Changing the numbering, cross-referencing, and arrangement of the text, tables, schedules, and maps;
 - b) Altering punctuation or language for consistency;
 - c) Correcting grammatical, dimensional, and boundary, mathematical, or typographical errors; and
 - d) Adding technical information to maps or schedules.
- 5) Where any Act, Provincial Policy Statement, Growth Plan, Ontario Regulation, and/or guideline, or portion thereof, is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may replace or revise the specified document.
- 6) For the purposes of this Plan, it shall be interpreted that the word "existing" shall mean existing as of the date of the adoption of this Plan.

*Appendix A - Metallic Mineral Potential Estimation Tool (MMPET)
Index*







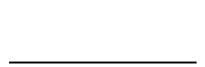











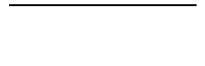







Prepared by the Ontario Ministry of Energy, Northern Development and Mines

Map/Carte
Township of Hornepayne
Metallic Mineral Potential
Estimation Tool (MMPET) Index /
Outil d'estimation du
potentiel minéral métallique

Location Map / Carte de localisation



Legend

	Hornepayne		MMPET Index 90.1 - 100
	Cities / Communautés Villes / Communautés		80.1 - 90
	Airport Aéroport		70.1 - 80
	Municipal Roads Routes municipales		60.1 - 70
	Expressway/Highway Expressway/autoroute		50.1 - 60
	Operational Roads Routes opérationnel		40.1 - 50
	Branch Roads Branche routes		30.1 - 40
	Primary Roads Routes principales		20.1 - 30
	Winter Roads Les routes d'hiver		10.1 - 20
	Railway Line Chemin de fer		0 - 10
	Utility Line / Ligne de service		
	Townships Canton		
	Stream Ruisseau		
	Lake / River Lac ou rivière		
	Indian Reserve Réserve indienne		
	Provincial Park and Conservation Reserve Parc provincial et réserves de conservation		



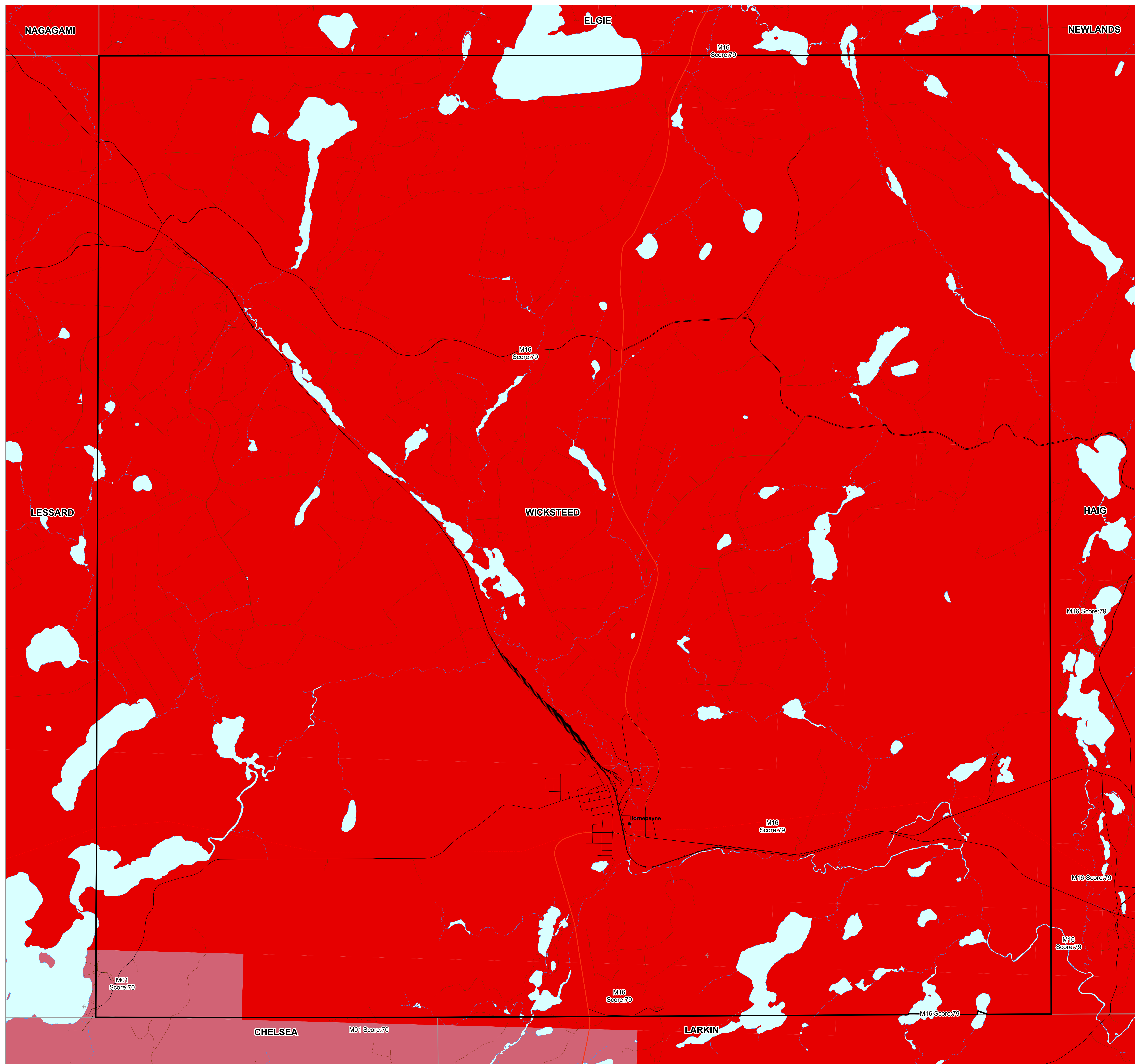
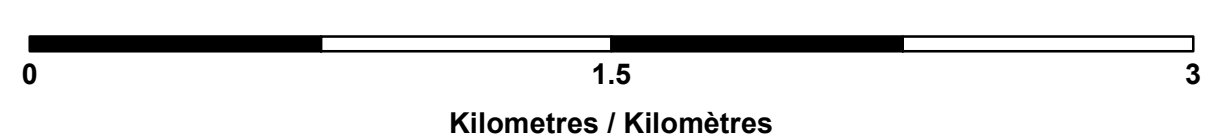
Notes

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Source of Information - Ministry of Energy, Northern Development and Mines (ENDM) files - compiled from field survey data, historical records, stakeholder information, reports from the public, and data from other Ministries.

Source : dossiers des districts administratifs Le ministère de l'Énergie, du Développement du Nord et des Mines (ENDM) de l'Ontario dressés à partir de données recueillies sur le terrain, de dossiers historiques, de renseignements fournis par des parties intéressées, ou par le public et de données fournies par d'autres ministères.



Appendix B - Environmental Impact Study Requirements

1.1.1 Environmental Site Assessment and Environmental Impact Studies

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

- 1) An EIS will be required for development in or adjacent to natural heritage features. An EIS will evaluate the ecological function of natural heritage features and adjacent lands and assess potential impacts on the features and/or adjacent lands. Development and site alteration is not permitted unless the EIS demonstrates that there will be no negative impacts on the natural features or their ecological functions.
- 2) The terms of reference and guidelines for an ESA and/or EIS will be determined by the Township in accordance with the Natural Heritage Reference Manual. Generally, an EIS, when required, will be considered required for a “complete” planning application. Studies will be completed at the expense of the development proponent.

1.1.2 Scoped Environmental Impact Study

- 1) Council may consider reducing an EIS to a scoped study if the proposal is:
 - a) Minor in nature (construction of small accessory buildings or a minor addition to an existing building); or
 - b) Located in an area where previous municipal studies are sufficient to provide the necessary technical information to assess a proposal; or
 - c) Located in an area where there is intervening development within the adjacent lands.
- 2) A scoped EIS will involve a checklist that can be completed by the proponent in consultation with the Township or other appropriate approval authority.
- 3) If the scoped study indicates that there may be potential impacts that warrant greater review, a full EIS shall be prepared.

1.1.3 Full Environmental Impact Study

- 1) Where a full site EIS is required, the study must be prepared by a qualified professional with expertise in environmental science. Terms of Reference will be prepared to guide the development of an EIS, and will generally:
 - a) Define and assess the nature and the boundaries of any significant features and ecological functions on or adjacent to the site;
 - b) Describe the location, extent, and nature of the proposed development;
 - c) Describe the relationship of adjacent lands to any significant features or ecological functions;
 - d) Assess areas within the development site and in a landscape context supporting ecological function and biodiversity of natural heritage systems;

The Township of Hornepayne
Official Plan

Appendix B – Environmental Impact Study Requirements

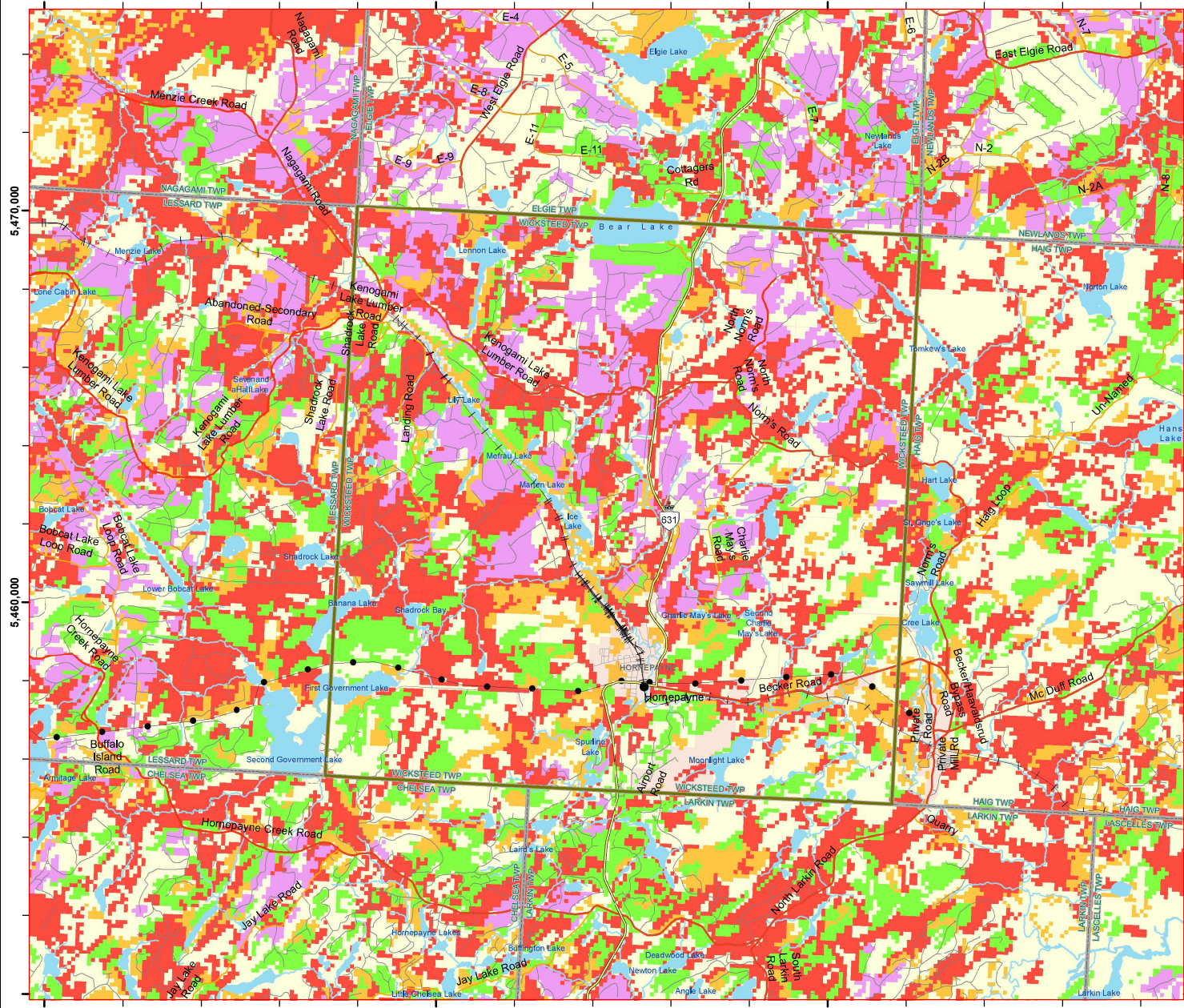
- e) Outline potential impacts and assess potential negative impacts;
- f) Describe any mitigation or compensation proposals designed to alleviate or eliminate impacts and identify residual impacts; and
- g) Identify whether residual impacts are “negative impacts”; and

Include any other requirements as identified by the Township.

Appendix C – Wildland Fire Hazard Information

Prepared by the Ontario Ministry of Natural Resources and Forestry

210,000 220,000 230,000



5,470,000

5,460,000

210,000 220,000 230,000



**MNRF Values Information - Township of Hornepayne
Wildland Fire Hazard Information**

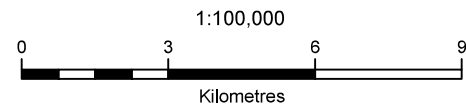
Map Produced: July 20, 2020. Wawa District MNRF

Base Data

- Community
- ▭ Municipal Boundary
- ▭ Geographic Township
- Local Road
- Other Road
- Primary Road
- Branch Road
- Operational Road
- Utility Line
- Railway
- Watercourse
- Waterbody
- Provincial Park, Regulated
- Conserv. Reserve, Regulated
- Indian Reserve
- Patent Land
- Crown Land - Unpatented Land

Potential Hazardous Fuel Types for Wildland Fires

- Extreme - C1, C2, C4
- High - C3, M2-50%, M4
- Pine Needs Evaluation - C5, C6
- Moderate - M2 >25% - <50%



This map is illustrative only. Do not rely on it as a precise indicator of routes, locations or features nor as a guide to navigation.

Source of Information - Ontario Ministry of Natural Resources District files - compiled from field survey data, historical records, stakeholder information, reports from the public and data from Other Ministries.

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Cette carte sert d'illustration seulement. Ne pas s'y fier comme indication précise de chemins ou d'emplacements, ni comme guide de navigation.

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Publiée en 2020





Official Plan

Township of Hornepayne

Schedule A - Urban Area

0 50 100 200 300 400 Meters



Legend

Utilities

- Tower
- Utility Line

Transportation

- Highway
- Trail
- Railway

Official Plan

Servicing

- Watermain
- Sewer
- Urban Service Boundary
- Urban Settlement Area Boundary

Land Use Designation

- Unknown
- Residential
- Mixed Use Commercial
- Employment
- Future Development Area
- Rural
- Rural Industrial
- Shoreline

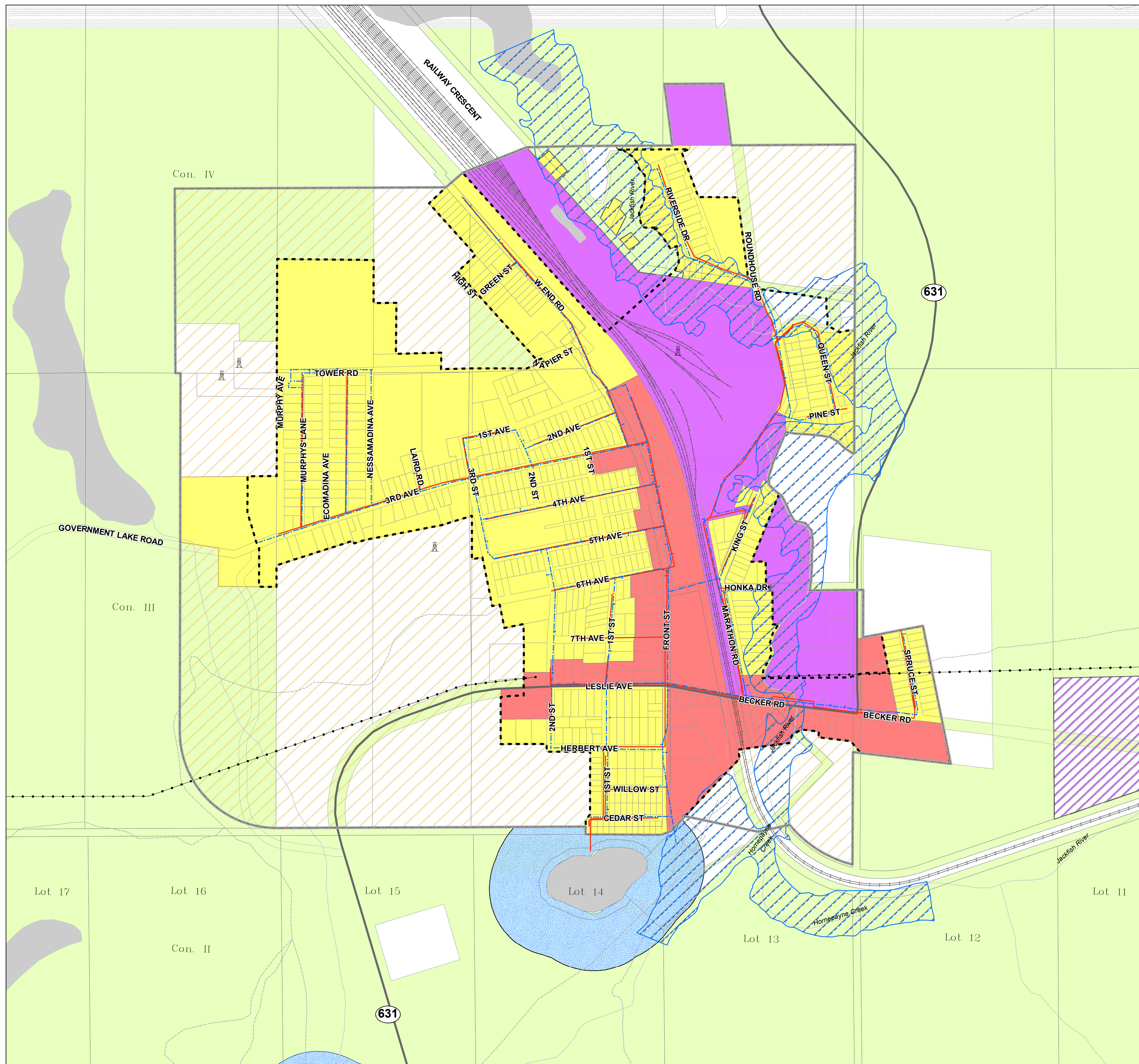
Natural Features Overlay

- Crown Land
- Floodplain
- Waterbodies
- Waterbody
- Stream

Data Source: Source Data has been provided by the Ministry of Natural Resources, Ministry of Northern Development and Mines, and Township of Hornepayne



Adopted: December 8, 2021
Minister's Approval: April 6, 2022
In effect: April 7, 2022
Print: 23-Jun-2022

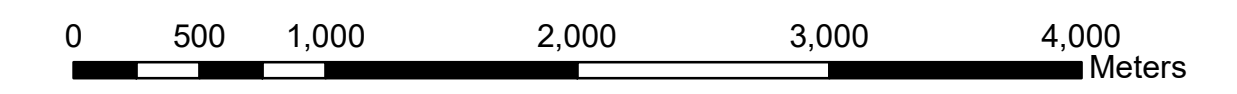




Official Plan

Township of Hornepayne

Schedule B - Rural Area



Legend

Utilities

- Tower
- Utility Line

Transportation

- Highway
- Road
- Trail
- Airport
- Centre of Ontario
- Municipal Boundary

Official Plan

Land Use Designation

- Rural
- Rural Industrial
- Shoreline

Aggregate Sites

- Authorized, Active
- Authorized, Inactive
- Waste Management

Natural Features Overlay

- MNR Non Freehold Disposition
- Crown Land

Natural Heritage Features

- Aquatic Feeding Area
- Wintering Area
- Spawning Area

Waterbodies

- Waterbody
- Stream

Thermal Regime

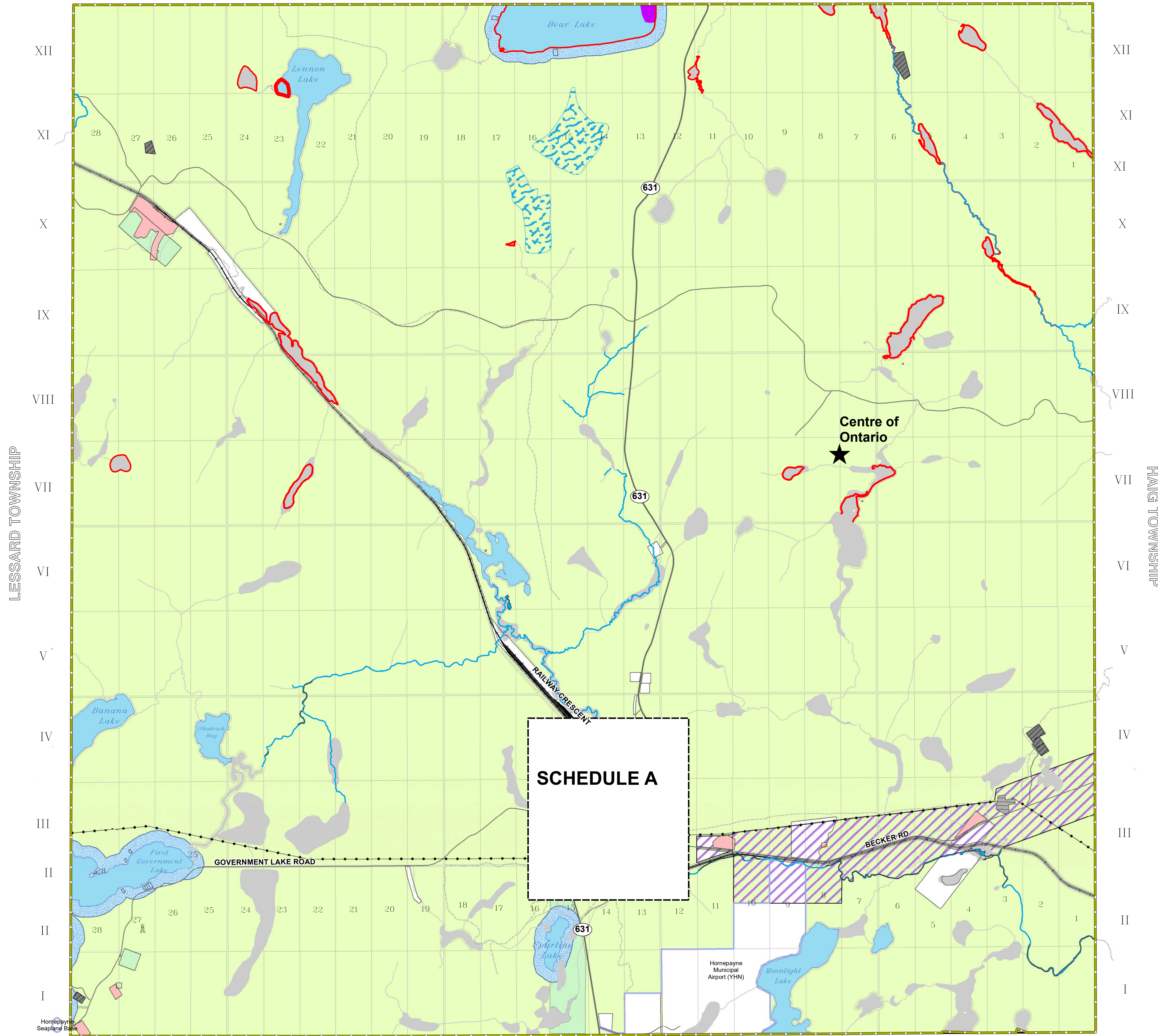
- Cold
- Cool

Data Source: Source Data has been provided by the Ministry of Natural Resources, Ministry of Northern Development and Mines, and Township of Hornepayne



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LESSARD TOWNSHIP

HAIG TOWNSHIP

CHELSEA TOWNSHIP

LARKIN TOWNSHIP