



*Discover a whole new Ontario • Découvrez un tout nouvel Ontario*

# CITY OF TEMISKAMING SHORES

---

## **OFFICIAL PLAN**

**Approved with  
Modifications  
March 20, 2015**

**Office Consolidation**



**Tunnock Consulting Ltd.**

---

57 Foster Street, Box 2032  
PERTH ON K7H 3M9  
Tel. 613 464-8805  
[gtunnock@tunnockconsulting.ca](mailto:gtunnock@tunnockconsulting.ca)

## Contents

<b>1. THE PLAN AND ITS PURPOSE.....</b>	<b>1</b>
1.1 The Official Plan.....	1
1.2 Purpose of the Plan .....	1
1.3 Objectives of the Plan.....	2
<b>2. INTERPRETATION.....</b>	<b>5</b>
<b>3. HOUSING AND GROWTH MANAGEMENT .....</b>	<b>6</b>
3.1 Introduction .....	6
3.2 Goal Statement .....	6
3.3 Objectives.....	6
3.4 Projections.....	6
3.5 Targets.....	6
3.6 Affordable Housing.....	7
3.7 Residential Intensification .....	8
3.8 Special Needs Housing.....	9
3.9 Tenure .....	9
3.10 Housing Review Process.....	9
3.11 Settlement Areas .....	10
3.12 Rural Area.....	10
<b>4. COMMUNITY DEVELOPMENT .....</b>	<b>12</b>
4.1 Introduction .....	12

4.2	Goal Statement .....	12
4.3	Objectives.....	12
4.4	Land Use Designations.....	12
4.5	Residential Neighbourhood.....	13
4.6	Employment Areas .....	14
4.7	Mixed-Use Areas.....	16
4.8	Town Centres .....	18
4.9	Urban Design Principles .....	20
4.10	Rural Area.....	24
4.11	Land Division by Consent.....	26
4.12	Land Division by Plan of Subdivision .....	27
4.13	Agricultural Research Station.....	27
4.14	Land Use Compatibility .....	28
<b>5.</b>	<b>INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES .....</b>	<b>29</b>
5.1	Introduction .....	29
5.2	Goal Statement .....	29
5.3	Objectives.....	29
5.4	Water, Wastewater and Stormwater .....	29
5.5	Waste Management Systems.....	30
5.6	Transportation.....	31
5.7	Infrastructure Corridors .....	33
5.8	Well Head and Intake Protection Zones.....	33
5.9	Public Service Facilities .....	34

5.10	Fire and Emergency Services.....	34
5.11	Police Services.....	34
5.12	Health Care.....	34
5.13	Accessibility.....	35
<b>6.</b>	<b>ECONOMIC DEVELOPMENT.....</b>	<b>37</b>
6.1	Introduction.....	37
6.2	Goal Statement.....	37
6.3	Objectives.....	37
6.4	Strategy for Economic Development.....	37
6.5	Growth Plan for Northern Ontario.....	39
<b>7.</b>	<b>RECREATION, CULTURAL AND EDUCATIONAL SERVICES.....</b>	<b>41</b>
7.1	Introduction.....	41
7.2	Definition.....	41
7.3	Goal Statements.....	41
7.4	Objectives.....	42
7.5	Planning.....	42
7.6	Designation.....	42
7.7	Development Standards.....	42
7.8	Parkland Dedication.....	44
7.9	Campgrounds.....	44
7.10	Golf Courses.....	45
7.11	Integrated Recreation and Housing Development.....	45
7.12	Library Services.....	45

7.13 Educational Services .....	45
<b>8. HEALTHY COMMUNITIES.....</b>	<b>47</b>
8.1 Introduction .....	47
8.2 Goal Statement .....	47
8.3 Strategy for Developing a Healthy Community.....	47
8.4 Short Term Initiatives.....	47
<b>9. COORDINATION.....</b>	<b>50</b>
9.1 Introduction .....	50
9.2 Goal Statement .....	50
9.3 Policies .....	50
<b>10. NATURAL ENVIRONMENT.....</b>	<b>52</b>
10.1 Introduction .....	52
10.2 Goal Statements.....	52
10.3 Objectives.....	52
10.4 Natural Environment Areas Inventory.....	53
10.5 Natural Heritage Features and Areas .....	53
10.6 Locally Significant Natural Features.....	54
10.7 Forestry, Woodlots, Drainage .....	55
10.8 Lake Capacity.....	56
10.9 Natural Hazards.....	57
10.10 Flood Hazard Constraint Area .....	58
10.11 Environmental Impact Study (EIS) .....	59
<b>11. AGRICULTURE.....</b>	<b>61</b>

11.1	Introduction .....	61
11.2	Definition .....	61
11.3	Goal Statement .....	61
11.4	Objectives.....	61
11.5	Farm Unit .....	62
11.6	Farming Practices .....	62
11.7	Lot Size .....	62
11.8	Sustainable Agriculture.....	62
11.9	Protection of Prime Agricultural Lands .....	63
11.11	Agricultural Commercial, Industrial and Research Uses .....	63
11.12	Secondary Uses .....	63
11.13	Natural Environment.....	63
11.14	Minimum Distance Separation.....	63
11.15	Surplus Dwellings.....	64
11.16	Lots of Record .....	65
11.17	Mineral Aggregate Resources.....	65
11.18	Community Facilities and Infrastructure .....	65
11.19	Agricultural Community .....	65
11.20	Land Division .....	66
<b>12.</b>	<b>MINERAL AGGREGATE RESOURCES .....</b>	<b>67</b>
12.1	Introduction .....	67
12.2	Definition .....	67
12.3	Goal Statement .....	67

12.4 Objectives.....	67
12.5 Designation.....	67
12.6 Protection of Mineral Aggregate Resource Lands .....	68
12.7 New Operations .....	68
12.8 Incompatible Uses .....	69
12.9 Compatibility .....	69
12.10 Rehabilitation .....	69
12.11 Wayside Operations.....	69
12.12 Portable Asphalt and Portable Concrete Plants .....	69
12.13 Hazards .....	69
12.14 Protection of Natural Areas and Groundwater .....	70
12.15 Zoning .....	70
12.16 Land Division.....	70
<b>13. MINING .....</b>	<b>72</b>
13.1 Introduction .....	72
13.2 Definition .....	72
13.3 Goal Statement .....	72
13.4 Objectives.....	72
13.5 Land Use Constraint .....	73
13.6 Protection of Mining Resource Lands.....	73
13.7 New Operations .....	73
13.8 Incompatible Uses .....	73
13.9 Compatibility .....	74

13.10	Rehabilitation .....	74
13.11	Protection of Natural Areas and Groundwater .....	74
13.12	Zoning .....	74
13.13	Land Division .....	74
13.14	Mine Hazards.....	74
<b>14.</b>	<b>CULTURAL HERITAGE.....</b>	<b>76</b>
14.1	Introduction .....	76
14.2	Definition .....	76
14.3	Goal Statement .....	76
14.4	Objectives.....	76
14.5	Heritage .....	76
14.6	Municipal Heritage Advisory Committee .....	77
14.7	Designation.....	77
14.8	Human Remains .....	77
14.9	Archaeological Resources .....	77
14.10	Marine Archaeological Resources.....	78
14.11	Protected Heritage Property.....	78
14.12	Implementation Tools .....	78
14.13	Municipal Cultural Plan.....	79
<b>15.</b>	<b>PLANNING TOOL KIT .....</b>	<b>81</b>
15.1	Introduction .....	81
15.2	Planning Applications.....	81
15.3	Building Code Act.....	82

15.4	Property Standards .....	82
15.5	Development Charges Act .....	82
15.6	Amendments to the Official Plan (Sections 17 and 22, Planning Act) .....	82
15.7	Public Works (Section 24, Planning Act) .....	82
15.8	Acquisition of Land (Section 25, Planning Act) .....	82
15.9	Community Improvement (Section 28, Planning Act) .....	82
15.10	Zoning By-law (Section 34, Planning Act) .....	83
15.11	Holding By-law (Section 36, Planning Act) .....	83
15.12	Height and Density Bonusing .....	83
15.13	Interim Control By-laws (Section 38, Planning Act) .....	83
15.14	Temporary Use By-laws (Section 39, Planning Act) .....	83
15.15	Site Plan Control (Section 41, Planning Act) .....	83
15.16	Parkland Dedication (Section 42, Planning Act) .....	84
15.17	Non-Conforming Uses (Sections 44 and 45, Planning Act) .....	84
15.18	Land Division, Part-Lot Control and Deeming (Sections 50-53, Planning Act) .....	85
15.19	Mine Hazard .....	85
15.20	Contaminated Lands .....	86
15.21	Accessory Uses .....	86
15.22	Lots of Record .....	86

# 1. THE PLAN AND ITS PURPOSE

## 1.1 The Official Plan

The Official Plan of the City of Temiskaming Shores sets out the goals, objectives and policies to guide growth and development within the City for the next 20 years.

The following text, diagrams and the Land Use Schedules A, B, C and D shall constitute the Official Plan (Plan) for the City of Temiskaming Shores. The Planning Resource Kit at the end of each section of the Plan is intended to provide a list of resource documents which are to be used in the review of development applications and in making decisions or in implementing the policies of this Plan. The Plan applies to all lands within the corporate boundaries of the City of Temiskaming Shores.

The Official Plan was prepared to be consistent with the *Provincial Policy Statement, (2014)*, to conform to the Growth Plan for Northern Ontario, and to reflect the intent of the *Planning Act*. The official plan shall be implemented in a manner that is also

consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.

This official plan shall be read in conjunction with any provincial plan in effect and where deemed to conflict with a provincial plan, the policies of the provincial plan shall take precedence.

Where land use approvals involve potential approvals under other provincial legislation, the approvals under the affected legislation may be integrated, provided the intent and requirements of all affected Acts are met.

The official plan shall be implemented in a manner that is consistent with the Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.



## 1.2 Purpose of the Plan

The Official Plan is the first Plan for the City of Temiskaming Shores, created on January 1, 2004. The Plan was prepared following a consultation process with the public, community stakeholders and the Provincial government. Council's objective for the new Plan is to create positive, sustainable and healthy growth. The Plan is not viewed just as a land use document but as a blueprint that reaches out to incorporate the concepts of a healthy community, the building blocks for economic development, and the optimization of its social capital.

Key to the preparation of the Official Plan was to develop a solid information base. The Temiskaming Shores Community Profile, 2009 was prepared as the background document to the Official Plan. The Community Profile brings together in one document, a wealth of information about the City. Through the assembly and analysis of population, housing, employment, land uses, community services, infrastructure, heritage, natural resources and many other features, growth trends can be determined and

opportunities for development can be identified. The Community Profile is a reference document that serves as the background for formulating the goals, objectives and policies of the Official Plan.

The purpose of the Official Plan is to identify the resources, capabilities, opportunities and constraints of the land and the community to enhance the stewardship of the City's land base, the cultural heritage environment and the natural environment. Any future development in Temiskaming Shores will conform to the policies of this Plan. The Plan provides the legislative basis to implement the community's vision for its future. The Official Plan will be reviewed not less than every five years after the Plan comes into effect.

### **1.3 Objectives of the Plan**

- 1.** To create a positive planning environment that addresses the needs and aspirations of the community over the next two decades.
- 2.** To build a vision for the future of the City which is agreed upon by the community and which the

community has an active role in implementing.

- 3.** To create a unifying force that creates and fosters an identity for the City.
- 4.** To create a forum for community-based dialogue in the design, implementation and review of the Plan.
- 5.** To develop a land use planning process that maximizes compatibility and minimizes conflict between different land uses.
- 6.** To build a City with strong, distinctive and liveable Settlement Areas with a range of housing choices, employment, parks, open space and which provides a range of services and facilities that are accessible by walking, cycling and transit.
- 7.** To build a healthy, safe and liveable community that encourages active living, healthy lifestyles and which integrates planning for a healthy community

as a component of the City's land use planning process.

- 8.** To plan for a community with a diversified and well managed resource base including mining, mineral aggregates, forestry, agriculture and water.
- 9.** To conserve and manage cultural heritage resources to maintain their heritage value.
- 10.** To ensure that future development and land use planning decisions in the City conform to the goals, objectives and policies of this Plan.
- 11.** To plan and provide infrastructure that meets current and projected growth needs.
- 12.** To protect resources of provincial interest, public health and safety and the quality of the natural environment through the policies of this Plan and through consultation with Provincial agencies.
- 13.** To position the City for growth within a regional and global

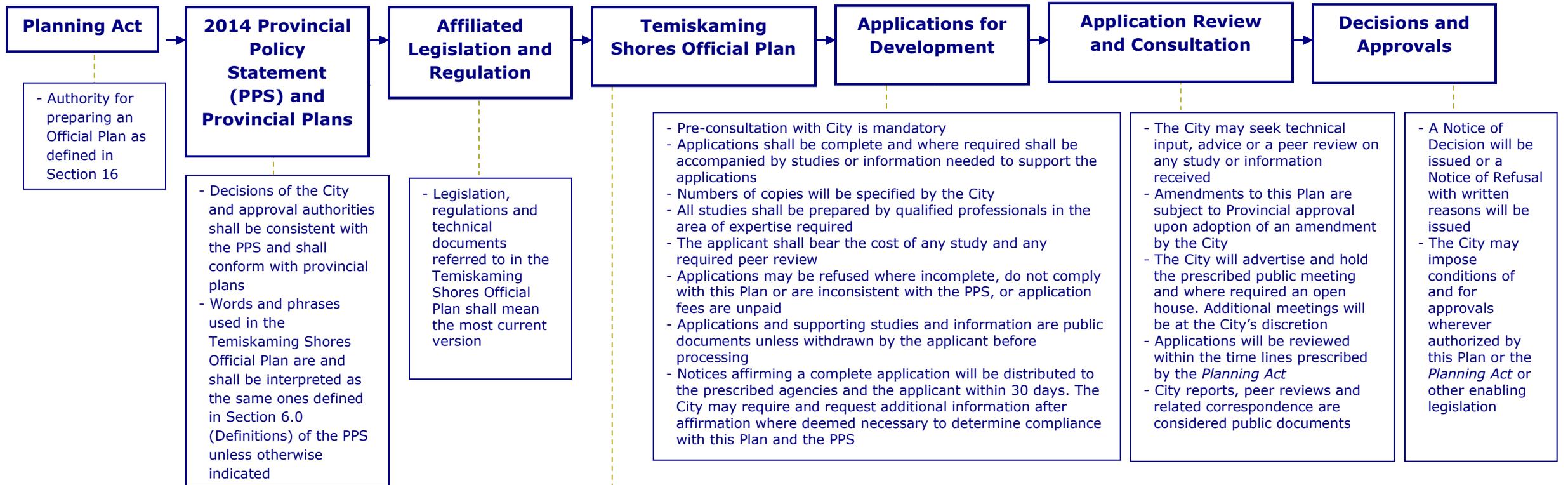
economy in keeping with the policy framework of the Growth Plan for Northern Ontario.

- 14.** To position the City to assume greater responsibility for decision-making approval on planning applications through exemption from Minister's approval for official plan amendments.
- 15.** To conserve biodiversity and encourage the ecological benefits provided by nature.
- 16.** To consider the impacts of climate change and measures to support the reduction of greenhouse gas emissions through urban and rural design practices and to encourage and support green infrastructure.
- 17.** To recognize the uniqueness of the Anglophones, Francophones, First Nations, Métis and all other identifiable cultures and celebrate their contributions to the social fabric of the city.



## 2. INTERPRETATION

Applications for development and procedures set out or affecting this Plan shall be governed by the following interpretation policies:



- Applies to all lands within the City and is intended to guide growth and development for twenty years from the date of approval
- The Plan consists of the text, diagrams and the Land Use Plan Schedules. The Planning Resource Kit shall be used where referred to in a policy in this Plan. Appendices provide supporting but non-binding information. Photographs are not considered to be a legal part of this Plan
- The Plan shall be revised every five years in accordance with Section 26 of the *Planning Act*
- Reference will be made to original documents where necessary (i.e. plan of survey) in interpreting the boundaries or limits of features, designations and constraint areas illustrated on the Land Use Plan or text described in the Plan
- The boundaries of land use designations and other features on the Land Use Plan are considered approximate except where specifically bounded by a road, rail line, City boundary or other distinctive boundary and an amendment to the plan will not be required for minor adjustments where the intent of the Plan is upheld
- Permitted land uses are not intended to be limited to those prescribed where a range of uses is anticipated provided the intent of the policies of this Plan and complied with
- The use of land, buildings and structures normally accessory to a permitted use are permitted even though not stated in the Plan
- Legal non-conforming uses are permitted to continue
- Amendments to this Plan are not required for spelling, grammar, formatting, renumbering, typographic errors, or a consolidation
- This Plan may be amended from time to time by Council or by application in response to changing circumstances or proposed development
- While this Plan sets out a series of community initiatives, such initiatives are not intended to be binding on Council or other organizations and implementation is understood to be based on the financial capabilities and/or approvals necessary

### 3. HOUSING AND GROWTH MANAGEMENT

#### 3.1 Introduction

Housing is a fundamental requirement of any community. Housing types, densities, affordability, location and accessibility are all factors to consider in planning for a community's housing needs. Currently, the City's housing stock consists of 4,621 private dwellings, of which approximately 78% are owner-occupied. Approximately 77% of the housing stock consists of single detached dwellings and the balance medium to high density. Close to 85% of the housing stock was built prior to 1986.

#### 3.2 Goal Statement

To provide for an appropriate range of housing types and densities which will meet the projected housing needs of the community.

#### 3.3 Objectives

To ensure that sufficient land is available and serviced to meet the projected housing needs over the planning period.

To ensure that the targets for affordable housing are met.

To facilitate measures for residential intensification.

To work in collaboration with the District of Timiskaming Social Services Administration Board (DTSSAB) and other agencies in meeting the special housing needs of the community.

To take advantage of provincial and federal housing programs to deliver the City's housing program.

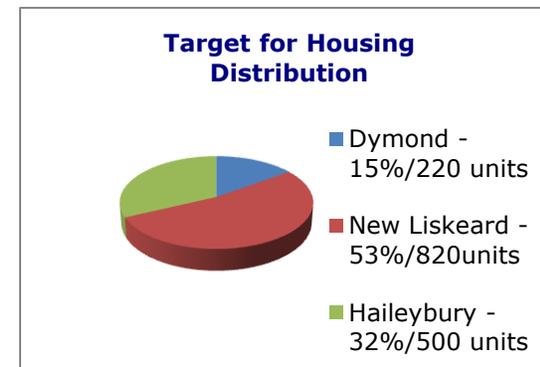
#### 3.4 Projections

Temiskaming Shores has a significant opportunity to grow and prosper over the next two decades. The Official Plan sets out population, housing and employment projections and targets as the basis for growth and development for the City and the Settlement Areas of Dymond, New Liskeard and Haileybury. The projections for the Plan are:

- A population of 13,760 by 2031;
- Housing units created of 1,540 by 2031;
- Employment growth of 3,880 including 2,600 new export-based jobs.

#### 3.5 Targets

The intent of the Official Plan is to provide an adequate supply of land to accommodate an appropriate range and mix of employment opportunities, and a range of housing types and densities designed to meet the City's population, housing and employment projections. The following targets and range of permitted uses are illustrated as part the policy direction of the Plan:



- Affordability Targets**
- 25-30% affordable housing
  - 15-20% for residential intensification

Location	Target for Housing Densities		
	Low	Medium	High
New Liskeard	70-80%	5-10%	15-20%
Dymond	80-90%	10-20%	0%
Haileybury	70-80%	5-10%	15-20%

**Target for Housing Supply is to maintain at all times:**

- 10 year supply of designated and available land
- 3 year supply of approved, serviced and zoned land for residential development

**Range of Housing Types Permitted:**

Low Density

- Single detached
- 2-unit (duplex, semi-detached)

Medium Density

- Tri-plex and 3 unit or more converted dwellings
- Town houses
- 4 or more multiple unit dwellings

High Density

- Apartments

**3.6 Affordable Housing**

The City will achieve the targets established in Section 3.5 for the development of housing that is affordable to low and moderate income households through one or more of the following measures:

1. Using City-owned vacant residential lots.
2. Seeking opportunities to participate in future Federal, and Provincial affordable housing programs for low to moderate income households and through partnership with the District of Timiskaming Social Services Administration Board (DTSSAB) and other agencies to engage on matters related to planning for affordable housing, and in stakeholder consultations related to the development of local housing and homelessness plans, implementation of those plans and on-going monitoring.
3. Facilitating residential intensification.

4. Allowing a second residential unit in a single detached dwelling, semi-detached dwelling or rowhouse.
5. Facilitating the development of garden suites.
6. Encouraging mixed-use development such as second storey residential units in the town centres and in new commercial development. This may be coupled with the reduction or elimination of parking requirements for residential uses in the town centres.
7. Encouraging the adaptive re-use of vacant commercial and institutional buildings.
8. Utilizing tools under Section 28 of the *Planning Act* in association with community improvement projects.
9. Providing for demolition control.
10. Waiving planning and development application fees including building permit fees.

**11.** Using the provisions of Section 37 of the *Planning Act* in exchange for affordable housing.

**12.** Defining low and moderate income households for ownership and rental housing to be determined in the basis of the regional market area (e.g. Timiskaming District) as the market applies to the lowest 60% of income distribution for homeowners and renter households respectively.

In the case of rental housing, 'affordable' shall be defined as a unit for which rent is at or below the regional market area average, or, a unit which does not exceed 30% of gross annual household income for low and moderate income households, whichever is least expensive. In the case of ownership housing, 'affordable' shall be defined as housing with a purchase price at least 10% below the regional market area average, or, housing with a purchase price that does not result in an annual cost exceeding 30% of gross annual household income for low

and moderate income households, whichever is least expensive.

### **3.7 Residential Intensification**

The City will achieve the targets established in Section 3.5 for residential intensification within the settlement areas through one or more of the following measures:

- 1.** Using City-owned vacant residential lots.
- 2.** Facilitating the development of vacant and/or underutilized lots and blocks within the developed settlement areas of New Liskeard and Haileybury.
- 3.** Redeveloping brownfield sites.
- 4.** Conversion of or expansion of existing industrial, commercial and institutional buildings outside of employment areas.
- 5.** Conversion or expansion of existing residential buildings to create new residential units or accommodation including accessory apartments, secondary suites and second units in a house.

**6.** Intensifying the use of upper storeys in all town centres for residential units or accommodation.

**7.** Using incentives such as bonus zoning to allow for increased densities under Section 37 of the *Planning Act*, and community improvement under Section 28 of the *Act*. Grants and loans may also be used to facilitate intensification.

**8.** Residential intensification shall consider the principles for urban design (see Section 4.9). Proposals for intensification should not cause unacceptable impacts on existing development. Consideration will be given to consistency in building height, building scale, housing densities, building set-backs, integration with the existing streetscape, traffic impacts, privacy in the use of adjacent properties, buffering, adequacy of infrastructure, off-street parking supply, availability of community facilities and preservation of heritage attributes.

**9.** Site plan control (see Section 15.15) may be used for residential

intensification projects notably with respect to the protection of private amenity spaces, providing for off-street parking, buffering and landscaping. The City may also consider the need for shadow studies, sight line drawings, roof profiles and pitches and building materials.

**10.** Targets for residential intensification shall be monitored on an annual basis through the review of residential building permit activity. The criteria set out in Section 3.10 Housing Review Process shall be used in achieving the targets for residential intensification.

**3.8 Special Needs Housing**

The City will engage the District of Timiskaming Social Services Administration Board (DTSSAB), post-secondary educational institutions, social service agencies, service clubs and other agencies in planning for and delivering housing for:

- 1. Students;
- 2. Low to moderate income households;

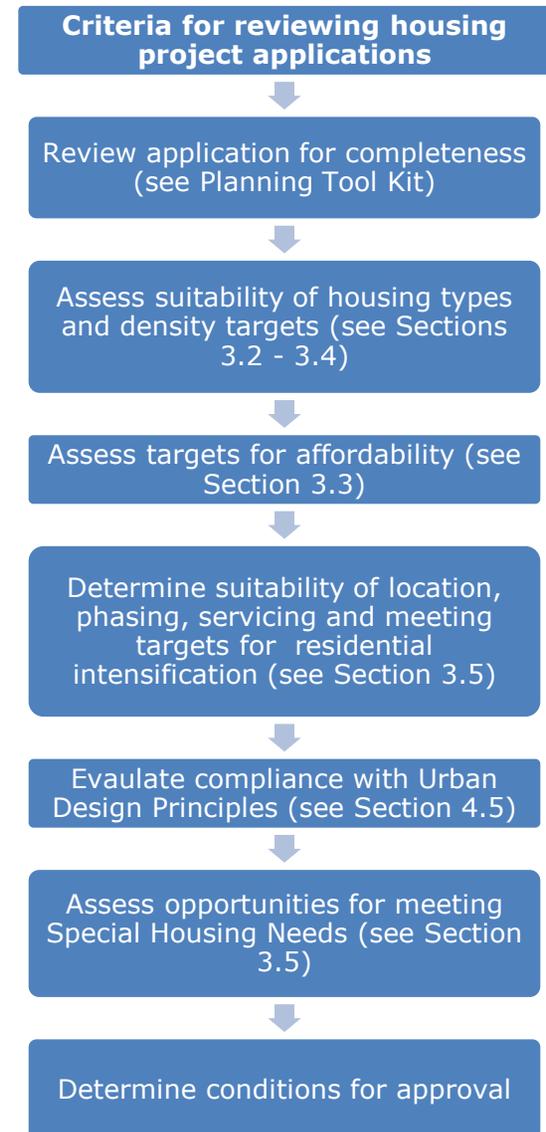
- 3. Seniors;
- 4. Persons living with disabilities;
- 5. Aboriginals;
- 6. Crisis Shelter accommodation (e.g. safe house, hostel, emergency shelter);
- 7. Residents requiring group homes and garden suites.

**3.9 Tenure**

Subject to establishing the appropriateness of the land use, all forms of tenure will be permitted (e.g. freehold, condominium, and rental). Condominium, fractional ownership or time share developments associated with a subdivision, plan of condominium or site plan control will typically be subject to development agreements (e.g. Sections 41 or 51 (26) of the *Planning Act*) and zoning, where required.

**3.10 Housing Review Process**

Applications for housing development shall be evaluated giving consideration to the criteria in the following illustration:



### **3.11 Settlement Areas**

The Settlement Areas of Dymond, New Liskeard and Haileybury (including North Cobalt) as shown on the Land Use Schedules will be the focus of residential and employment growth. The Settlement Areas are designed to provide the land base and infrastructure required to accommodate the projected population, housing and employment growth of the City. Settlement Areas will be developed on the principles of:

- 1.** A compact form which promotes contiguous and phased development.
- 2.** Residential intensification (see Section 3.7).
- 3.** Redevelopment including brownfield sites.
- 4.** Available infrastructure.
- 5.** Available and adequate public service facilities.
- 6.** Sustainable and energy efficient development.
- 7.** Land Use compatibility

The expansion of a Settlement Area boundary is not anticipated within the life of this Plan, but will be considered as part of the comprehensive review of this Plan (every five years).

(See Sections 4.4-4.8 and 4.10 for additional Settlement Area policies.)

### **3.12 Rural Area**

The Rural Area will be conserved for the management or use of natural and renewable resources, principally agriculture, minerals, mineral aggregates, and the protection of natural heritage and water features. Recreational activities, and infrastructure and public service facilities appropriate to the rural setting (e.g. waste management facilities, communication facilities, energy facilities) may also be permitted. No residential development is allocated to the Rural Area other than development on existing lots of record, resource-related accessory dwellings, infill along the shoreline of Lake Timiskaming, and on the West Road (See Section 4.10.3 (b)), and resort or recreation-based residential uses (See also Sections 4.9.8 (f) for setbacks).

The Rural Area will be developed on the principles of:

- 1.** Cost-effective development.
- 2.** Development that can be sustained by the City's standards for rural services.
- 3.** Land use compatibility.
- 4.** Integration of development with the conservation of features of the natural environment.
- 5.** Stewardship of natural and renewable resources.
- 6.** Planned rural infrastructure and public service facilities.
- 7.** Promotion of recreation, tourism and rural-based economic development. (See Sections 4.9 and 4.10 for additional Rural Area policies.)

## Community Initiatives for Housing and Growth Management:

2014-2020

- Prepare and adopt an employment growth strategy with a particular focus on the strengthening of the City's regional hub role in the provision of health care, educational services (especially post-secondary), social and recreational services, the expansion of tourism activities and the related provision of quality support services, especially in the areas of food, accommodation and retail operations.
- Develop a youth-retention-and-return strategy as a component of labour force planning.

## Planning Resource Kit:

Definitions: Provincial Policy Statement (2014): affordable, brownfield site, comprehensive review, development, designated and available, infrastructure, intensification, low to moderate income households, public service facilities, redevelopment, residential intensification, settlement areas, special needs

## **4. COMMUNITY DEVELOPMENT**

### **4.1 Introduction**

Temiskaming Shores is an urban-centered municipality with a large, sparsely inhabited rural area. Historically, Haileybury, New Liskeard and Dymond have evolved as the primary Settlement Areas while much of the rural area has been conserved through good land use planning for resource activities, notably farming and mineral aggregate extraction. Consequently, there are minimal land use conflicts between resource and non-resource related development. The urban communities exhibit mature settlement patterns and are endowed with a full range of commercial, institutional and social services commensurate with their size. All three Settlement Areas have the capacity for additional growth and development, which with planned infrastructure upgrades will provide a sufficient land base to accommodate projected population, employment growth and housing over the next two decades.

### **4.2 Goal Statement**

To design and develop safe, sustainable Settlement Areas which integrate the employment, housing and social needs of residents and businesses in a highly livable and functional urban environment.

### **4.3 Objectives**

- 1.** To encourage mixed land use developments that place work, recreation opportunity and basic needs shopping closer to home.
- 2.** To provide sufficient land for projected housing and employment growth within the Settlement Areas.
- 3.** To provide for orderly, cost-efficient, compact and phased development.
- 4.** To ensure that all development has appropriate and adequate municipal services (infrastructure) and public service facilities.
- 5.** To avoid and/or mitigate land use conflicts.
- 6.** To conserve natural and cultural heritage resources.

- 7.** To enhance the quality of urban living through sensible urban design.

### **4.4 Land Use Designations**

- 1.** Land use designations within the Settlement Areas include:
  - a.** Residential Neighbourhood (see Section 4.5)
  - b.** Recreation (see Sections 4.5.3 and 7)
  - c.** Employment Areas (see Section 4.6)
  - d.** Mixed-Use Areas (see Section 4.7)
  - e.** Town Centres (see Section 4.8)
  - f.** Waste Management Facility (see Section 5.5)
- 2.** All other features such as the natural environment and natural hazards are considered to be a constraint overlay and subject to the policies of the relevant Sections of this Plan.

3. The spatial area of all land use designations are shown on the Land Use Schedules to this Plan.
4. Development in any land use designation will only be permitted where there is sufficient capacity available in the municipal infrastructure prior to development being approved including:
  - a. Municipal sewage services
  - b. Municipal water services
  - c. Stormwater and drainage facilities
  - d. Transportation services
  - e. Hydro
  - f. Gas utilities where available
5. Lands within Settlement Areas which are outside of the service catchment areas (see Infrastructure) will not be developed until substantial build-out of serviced areas has occurred.
6. Development approvals will also consider whether public service

facilities are available and adequate.

7. The intent of the Plan as a development principle is to promote residential intensification within the City's existing built-up area. This should take the form of using vacant lands, brownfields and unused buildings within urban areas and community improvement areas and measures as set out in Section 3.7 of this Plan.
8. Studies or information may be required to support an application for development (see Planning Tool Kit and Interpretation Sections).



#### 4.5 Residential Neighbourhood

1. The scope of permitted land uses may include low, medium and

high density housing types (see Housing and Growth Management); special needs housing; public service facilities appropriate to and compatible with a residential neighbourhood such as schools, places of worship, libraries, daycare facilities; and infrastructure designed and scaled to service a residential neighbourhood. Neighbourhood serving commercial uses may be permitted where a need is established, the use is compatible, and the access road has sufficient capacity. Examples include a convenience store, and a dry cleaning outlet.

2. Accessory uses may include a bed and breakfast facility and home based businesses.
3. Recreation uses may be permitted subject to the Recreation, Leisure, Cultural and Educational Services Section of this Plan (see Section 7).
4. Lot sizes will be designed to accommodate the main use, any accessory uses, and potential

future expansion and associated infrastructure requirements.

5. All uses will be appropriately zoned. Residential uses, intensification projects (see Section 3.7), public service facilities and commercial uses may be subject to site plan control.
6. Development will occur primarily by plan of subdivision (see also Sections 4.11 and 15.18 for land division) and will be phased giving priority to the build-out of approved and contiguous subdivisions prior to new subdivisions. The intent of this Plan is to initially focus growth and development in Phase 1 projects. Phase 2 projects will be considered when there has been a substantial build out of Phase 1 or where a Phase 2 project provides for integrated, efficient and cost-effective development.

#### **Phase 1 Housing Projects**

- New Liskeard: Cosman Crescent/Sumbler

- New Liskeard: McCamus Avenue
- New Liskeard: FPT Holdings, Dawson Point Road
- New Liskeard: Beach Gardens Condominium

#### **Phase 2**

- New Liskeard: FPT Holdings, Baker Street
  - Dymond: Drive In Theatre Road Mixed Use
  - North Cobalt
7. Phasing may be used as a growth management tool within a single project to ensure that infrastructure and public service facilities are optimized before developing new infrastructure or public service facilities.
  8. Phasing should be planned to occur concurrently with residential intensification in order to provide for an integrated build-out of residential neighbourhoods. Phasing will be undertaken in conjunction with the installation of infrastructure having proven capacity for the proposed development. Future phases may

be added within a Settlement Area without an amendment to this Plan or as part of the five year review.

9. Deeming of lots in existing subdivisions will not be considered where lots are integral to the settlement pattern and available infrastructure; however deeming may be used to prevent scattered and inefficient development.
10. Development will be subject to the urban design principles of this Plan (see Section 4.9).

#### **4.6 Employment Areas**

1. The scope of permitted uses in an employment area as designated on the Land Use Schedules will depend on the classification of the area. Industrial Parks will be designed primarily for industrial land uses but may include commercial uses appropriate to a predominantly industrial setting. Permitted uses in Employment Areas should include those which support the City's role as a regional hub and which are consistent with the City's economic development strategy. Emphasis will be placed on manufacturing uses, tourism and

service commercial/industrial uses and knowledge-based and research uses.

- 2. Uses will be designed to be compatible with neighbouring uses in Employment Areas and with sensitive land uses (see Planning Resource Kit). Employment Areas development impacts will be fully addressed prior to development approval (e.g. traffic, noise, air quality, servicing, environmental).
- 3. Lots will be designed to accommodate the main use, any accessory uses, and potential future expansion and associated infrastructure requirements.
- 4. Employment Areas will be developed based on the following criteria:

- a. Dymond Industrial Park: infrastructure improvements will be undertaken in conjunction with the build-out of the north end of the park. Phasing will be undertaken through the southerly extension of the park to

Radley Hill Road with an intersection improvement to Highway 11. Once the Dymond Industrial Park is substantially built out, the Haileybury and New Liskeard industrial parks will be considered for development.

b. Haileybury Industrial Park:

Phase 1 includes build-out of lands east of Niven Street and lands which directly front on either side of Niven Street. Phase 2 will be the western expansion of the park west of Niven Street.

c. New Liskeard Industrial Park:

infrastructure improvements will be required to extend services north and west of Regina Street with development being phased from southeast to northwest.

- 5. A market study will be required for commercial development proposals in excess of an aggregate total of 1,800 m<sup>2</sup> [19,376 ft.<sup>2</sup>] to assess the impacts on the City's town centres to ensure the continued sustainability of these core commercial areas.

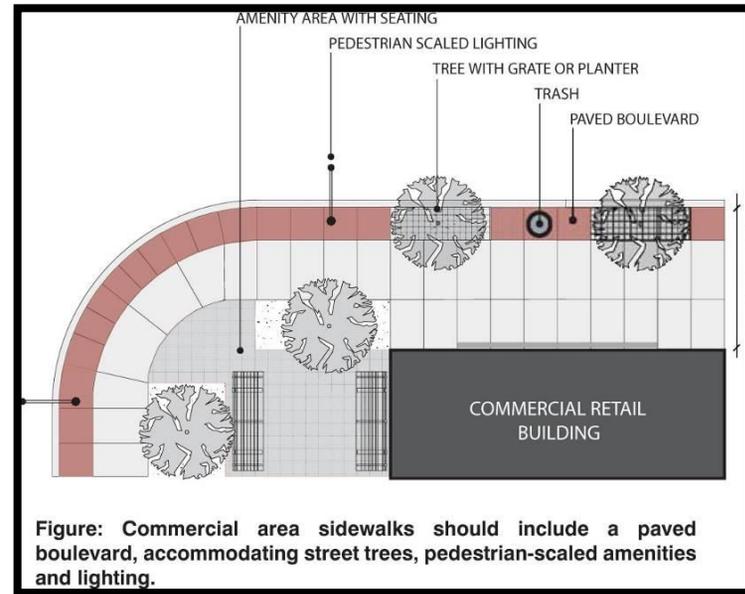


Figure: Commercial area sidewalks should include a paved boulevard, accommodating street trees, pedestrian-scaled amenities and lighting.

- 6. All employment area uses will be appropriately zoned and will be subject to site plan control. Development will be subject to the urban design principles of this

Plan (see Section 4.9) and residential uses shall be integrated to avoid or mitigate adverse effects from non-residential land uses through such techniques as:

- a. Appropriate separation distances;
  - b. Buffering and screening using landscaping, fencing intervening buildings, parking areas and amenity areas;
  - c. Noise attenuation;
  - d. Dust and air quality controls;
  - e. Designing Employment Areas to be transit, pedestrian and cycling friendly;
  - f. Designing Employment Areas to retain and enhance features of the natural environment wherever feasible.
7. Employment Areas as designated on the Land Use Schedules shall be protected and preserved for current and future land uses permitted by this Plan. Conversion

of Employment Areas for non-employment uses will not be permitted except where it has been demonstrated through a comprehensive review that the lands are not required for employment purposes over the long-term and that there is a need for the conversion in meeting the population and growth projections of the City.

- 8. Subject to the provisions of Sections 22 (7.3) and 34 (11.0.5) of the *Planning Act*, no appeal may be made where Council refuses to adopt an amendment to redesignate and/or rezone employment lands for non-employment uses.
- 9. The City will ensure that the design and development of employment areas will ensure their access to road and rail services that are essential to the movement of goods and products related to employment area land uses.

#### 4.7 Mixed-Use Areas

- 1. Mixed-Use Areas as designated on the Land Use Schedules will be

designed and developed to ensure that the integration of land uses are compatible or where adverse effects can be satisfactorily mitigated.

- 2. Mixed-Use Areas may include a mix of industrial, commercial and institutional uses, associated accessory uses and public service facilities and residential uses compatible with a Mixed-Use Area.
- 3. All uses will be appropriately zoned. All land uses in a Mixed-Use Area will be subject to site plan control (see Section 15.15).
- 4. A market study will be required for commercial development proposals in excess of 1,800 m<sup>2</sup> [19,376 ft.<sup>2</sup>] to assess the impacts on the City's town centres to ensure the continued sustainability of these core commercial areas.
- 5. Development will be subject to the urban design principles of this Plan (see Section 4.9) and residential uses shall be integrated to avoid or mitigate

adverse effects from non-residential land uses through such techniques as:

- a. Appropriate separation distances;
- b. Buffering and screening using landscaping, fencing intervening buildings, parking areas and amenity areas;
- c. Noise attenuation;
- d. Dust and air quality controls;
- e. Designing mixed-use areas to be transit, pedestrian and cycling friendly;
- f. Designing Mixed-Use Areas to retain and enhance features of the natural environment wherever feasible.

**6. Boat House Facility Policy Area**

- a. A boat house facility policy area shall be permitted on Lots 105 to 121, 138 to 142 Plan M-30 and Part of stopped up and closed portion of Farr Drive in Plan M-30 NB and Lots 1 to 43, 74 to 95, 126 to 136, 152 to 174, Parts of

closed Lawlor, Algonquin, Gordon and Connie in Plan M-58 NB and Part of Lots 13, Concession 3, including the closed portion of Colonization Road all as identified by Reference Plans 54R-5168 and 54R-5239 in the geographic Township of Bucke, now in the City of Temiskaming Shores.

- b. Permitted uses in the boat house facility policy area shall include:
  - Offices and meeting facilities
  - Corporate accommodation and dining facilities
  - Art gallery
  - Museum and archives
  - Training and development facilities
  - Corporate medical facilities
  - Boat house
  - Indoor recreational facilities such as an arena or gymnasium
  - Outdoor recreational facilities such as a tennis court or personal golf practice facility
  - Storage, maintenance and mechanical buildings
  - Heliport and hangar
  - Conservation uses

- Accessory uses to all of the above  
However, the primary use shall be residential.

- c. The boat house facility policy area shall be serviced by municipal water and sewage services. Any future development of the site may be subject to a secondary plan and a traffic study. Any heliport use on the site shall be subject by the applicable Transport Canada Aviation Regulations – Part III Aerodromes, Airports and Heliports – Subpart 5 – Heliports and subject to site plan control. Federal authorization shall be a requirement of site plan approval.
- d. Two sites of historical significance are located within the boat house facility policy area. These sites are subject to heritage easements and must be maintained according to the Director's decision under the Ontario Heritage Act.

- e. All development shall be subject to the mine hazards policies of this Plan (see Section 13.14 and 15.19).
- f. All development of buildings and facilities in the boat house facility policy area will be characterized by high quality design. Where necessary, landscaping features will be utilized in the boat house facility policy area to provide natural buffers and maintain privacy and security. Any such landscaping features shall comply with all municipal by-laws, such as but not limited to the City's Fence By-law.
- g. The lands shall be appropriately zoned and are subject to site plan control

#### **4.8 Town Centres**

**1.** Town Centres as designated on the Land Use Schedules historically have been the magnetic centres of towns, places where people are drawn to do business, shop, visit, dine and just watch other people. Main streets are the core of the communities of New Liskeard and Haileybury, areas that set the tone, and create the identity and

image of the community to its residents and to visitors. Each of the Town Centres has a different role. New Liskeard's town centre is the City's primary commercial area with an extensive variety of commercial uses intermixed with public service and residential uses. Haileybury's town centre serves a more localized market area with a limited scope of commercial services intermixed with institutional uses (i.e. court house, land registry office) and residential uses. Town Centres will be recognized for their different roles. New Liskeard's town centre will be promoted and encouraged to be developed as the primary central commercial district in the City. Haileybury's town centre will be recognized for providing services to a local market within a largely residential setting.

**2.** The intent of the Plan is to strengthen the role of New Liskeard's town centre as key to the economic health of Temiskaming Shores through the following policies:

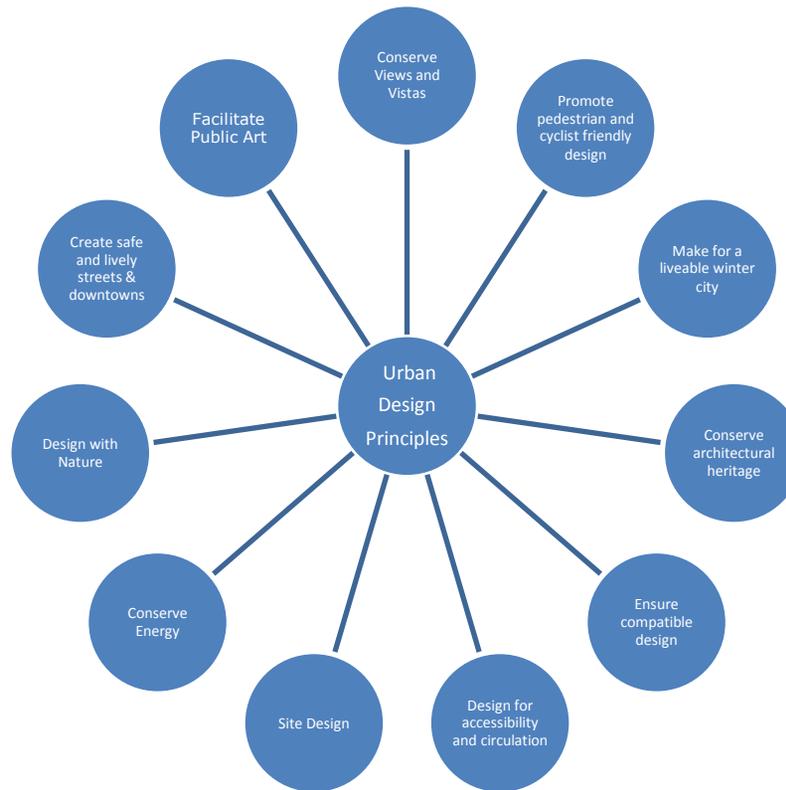
- a. New Liskeard's town centre will be sustained as the City's primary commercial area, characterized as an area of mixed-use development dominated by a full range of retail, service commercial uses, financial, professional and personal service uses and upper storey commercial and residential uses. Large format retail stores will be strongly encouraged to locate in the town centre.
- b. Existing residential and other uses will also be permitted; however, new standalone residential uses will be discouraged.
- c. On the western perimeter of New Liskeard's town centre, on Whitewood Avenue, new retail format commercial uses will also be permitted as well as a mixed use node of existing commercial, residential and industrial uses along Rokeby, Scott, and Jaffray Streets and Whitewood Avenue. Residential buildings may be converted to professional offices, personal service uses and small scale commercial uses between Wellington, Paget and Scott Streets provided any impacts of

conversions on abutting residential uses are addressed (e.g. parking, access).

**d.** Haileybury’s town centre will be developed as a local commercial centre where the scope of land uses will include retail, personal and service commercial uses, residential and public service uses. Residential uses will include standalone and upper storey dwellings.

**3.** Community improvement will be used to help create vibrant town centres through initiatives and programs to rehabilitate infrastructure; incorporate an accessible street design; enhance streetscaping (e.g. benches, waste receptacles, pocket parks, landscaping, boulevard shade trees, pedestrian scale or heritage lighting, public art and murals, bicycle parking); refurbish commercial façades; retrofit upper storeys for residential intensification; facilitate affordable housing; improve signage; introduce gateways

at entry points to the downtown; increase off-street parking; and bury overhead wiring. Council may use financial incentives for retrofitting brownfield sites, where applicable and to encourage improvements to private properties. Property standards will apply to sustain the building stock in good repair.



**4.** Exemptions to parking standards may be permitted, where appropriate.

**5.** Adaptive re-use of buildings will be encouraged. New street level residential uses will be prohibited on Whitewood Avenue and Armstrong Street between the Post Office and the bridge.

**6.** The City will encourage accessibility improvements to all buildings in the town centre.

**7.** Redevelopment and expansions to existing developed lands will be encouraged subject to available servicing, access and an adequate lot size for the intended use.

**8.** The character of the existing street profiles will be maintained with respect to building height, architectural compatibility, zero front and side yard setbacks, and width of sidewalks.

**9.** A market study may be required for commercial development proposals in

excess of 1,800 m<sup>2</sup> [19,376 ft.<sup>2</sup>] to assess the impacts on the Town Centres to ensure the continued sustainability of these core commercial areas

**10.** Development and redevelopment will be subject to the Urban Design Principles of this Plan (see section 4.9).



**4.9 Urban Design Principles**

**1.** Good urban design seeks to create a safe, functional and attractive built environment. The City is committed to achieving a high standard of urban design through applying the following urban design principles in the review and approval of development applications:

**2. Create streets and public places that are safe, lively and comfortable:**

- a.** Design street lighting and site lighting for clarity of night-time visibility for pedestrians, cyclists and motorists;
- b.** Create play areas and public places or common areas (e.g. squares, patios, parkettes, speakers corner and other public gathering points and places) which provide opportunities for social interaction, public events and recreation or leisure activities and which are clearly accessible to all users and visible with multiple entry and exit points;
- c.** Provide unobstructed sight lines along pedestrian and cyclist routes and motor vehicle access and exits;
- d.** Encourage mixed use activity areas to create 'busy' public spaces that permit casual surveillance or 'eyes-on-the-street';

- e.** Separate pedestrian, cycling and motorized activities;
- f.** Create gateways to neighbourhoods.

**3. Promote pedestrian friendly design:**

- a.** Plan for convenient walking distances to transit and parks
- b.** Create dedicated walkways and pathways/trails to link activity nodes (e.g. home-to-work);
- c.** Provide sidewalk linkages and crosswalks.

**4. Create opportunities for energy conservation:**

- a.** Orient buildings to take advantage of solar gain;
- b.** Retain/plant and maintain shade trees for summer cooling and winter shelter;
- c.** Encourage pedestrian and bicycle usage over vehicle travel;
- d.** Encourage energy efficient construction (e.g. LEED);

- e. Encourage the installation of micro-scale alternative and renewable energy systems (e.g. solar panels, wind turbines);
- f. Recycle stormwater run-off.
- g. Encourage the use of transit.
- h. Encourage the use of green infrastructure and systems (e.g. use of permeable surfaces, swales, rainwater catchment devices and vegetation, green façades, green/grass roofs and passive design by landscaping, geothermal facilities, biological wastewater treatment systems, passive, bio-based and solar-based energy systems and facilities, solar shading, use of recycled building and construction, and renewable resource materials, waste diversion, etc.)

**5. Protect views and vistas of built and natural landmarks:**

- a. Conserve views and vistas of Lake Timiskaming and the

escarpment overlooking the Clay Belt;

- b. Use architecture to create landmarks;
- c. Provide special attention to existing architectural landmarks (e.g. Court House, Haileybury waterfront pavilion, New Liskeard Post Office, etc.).
- d. Encouraging and facilitating a program for the display and installation of public art in public buildings, and public places using a variety of media. Public art may include free-standing sculpture, paintings, gates and arches, murals, art-glass windows, kinetic artworks, fountains etc. Public art should be used to celebrate historical events, create themes, to stimulate play, creativity and imagination to create landmarks and to enhance the aesthetic and visual attributes of the community.



**6. Create a safe liveable winter city:**

- a. Build in measures to protect pedestrians and properties from the impacts of climate such as minimizing snow drifting at entrance points to buildings and at emergency exits, avoiding structures which allow snow or ice to fall onto sidewalks or pedestrian

pathways, using landscaping for summer cooling or shelter from wind, maximizing sun light penetration, avoiding sun shadow on adjacent properties, providing weather protected pedestrian spaces and bus shelters;

- b.** Provide for snow storage in site design;
- c.** Ensure that signage for accessible facilities are visible under winter conditions.

#### **7. Conserve architectural heritage:**

- a.** Conserve significant heritage resources including buildings, structures, and streetscapes through preservation (e.g. maintain or restore a heritage resource within its context or setting), or through adaptive re-use (e.g. rehabilitation of a heritage resource for a new use or function);
- b.** Sensitively rehabilitate heritage buildings where required to improve accessibility, etc., while having

lowest impact on heritage features;

- c.** Provide for consistency and coherence in the architectural design of buildings in town centres and established neighbourhoods.
- d.** Maintain a consistent height and character profile for the height, density, massing and architectural style of buildings, notably for infill and intensification projects.
- e.** Conserve the heritage attributes of the shoreline of Lake Timiskaming.

#### **8. Ensure compatible design:**

- a.** Ensure that the design of medium and high density residential uses is architecturally compatible with surrounding lower density housing (e.g. conserve privacy of adjacent back yards, avoid sun shadow, provide reasonable transition in building heights);

- b.** Provide a variety of individual housing designs to create interesting streetscapes;

- c.** Encourage theme designs for façades, signage and building materials in commercial and industrial areas;

- d.** Locate loading and service areas to avoid negative visual and nuisance impacts on nearby residential areas;

- e.** Locate or mitigate HVAC noise from sensitive receptors;

- f.** Clusters of existing commercial or mixed uses in Residential Neighbourhoods may be expanded provided they are compatible with adjacent residential uses. Impacts may be mitigated by landscaping, visual buffering, increased setbacks and separation distances;

- g.** Industrial uses with significant nuisance impacts should be directed away from light industrial uses, commercial and institutional uses while employment areas in general should be buffered from

residential uses. Reference should be made to MOE D-1 and D-6 Guidelines (see Planning Resource Kit).

## **9. Design with Nature:**

- a.** Integrate the protection of natural features into the design of subdivisions and sites through zoning and site plan control (e.g. escarpments, river valleys, woodlots, rock outcrops);
- b.** Provide for tree replacement plans and construction mitigation plans for all new development;
- c.** Maximize the retention of existing (native) vegetation for all development and provide for the reinstatement, restoration or enhancement of vegetated areas wherever feasible;
- d.** Minimize grading and hydrogeological changes to avoid disruption to natural ecosystems;
- e.** Target a minimum of 25% for landscape coverage for new

commercial, industrial, institutional and medium and high density developments. Secure higher percentages through bonuses and easements or other incentives;

- f.** Conserve a Ribbon-of-Life vegetation and wildlife/aquatic corridor along shorelines of lakes and rivers in their natural state;
- g.** Retain, detain and recycle stormwater to avoid excess run-off, erosion and sediment discharge.
- h.** Incorporate trees and vegetation (as well as buildings) to increase cooling breezes or shade in the summer and to reduce wind velocity or create shelter belts in the winter.
- i.** Conserve the biodiversity and ecological benefits of nature through such measures as sustaining and enhancing the diversity of natural ecosystems (e.g. shoreline, woodlands, and riverine areas)

and by conserving natural habitat areas in urban and rural design.

## **10. Design for accessibility and circulation:**

- a.** Incorporate barrier-free design for new development;
- b.** Incorporate standards for accessible parking into zoning and site plan control agreements;
- c.** Ensure the street network accommodates all intended users (e.g. automobiles, public transit, emergency vehicles, pedestrians, persons with a variety of abilities, motorized mobility aids and cyclists) to ensure that they can interact and move safely;
- d.** Provide sight triangles at street intersections;
- e.** Provide adequate intersection spacing for streets and driveways with unobstructed sight lines;
- f.** Where appropriate, incorporate traffic calming

elements to moderate vehicle speeds and promote pedestrian and cyclist movement;

- g.** Encourage snowmobile and ATV access to lodging, fuel, repair and eating facilities.

#### **11. Site Design:**

- a.** Provide barrier-free access from buildings to sidewalks through dedicated pathways or sidewalks;
- b.** Locate parking areas in close proximity to building entrances. However, parking areas shall generally be located to the side or rear of buildings;
- c.** Link parking lots to abutting uses to provide movement between lots;
- d.** Provide adequate lighting levels and uniform coverage in parking areas and pedestrian walkways. Screen lighting from glare onto adjacent residential properties and public streets;

- e.** Provide clearly defined access routes and signage for designated fire routes;

- f.** Provide convenient and easily visible locations for accessible parking, bicycle and motorcycle parking including the provision of end trip facilities for bicycles (e.g. bike racks). Encourage the provision of parking areas for motorized mobility aids;

- g.** Locate storage areas or provide adequate visual buffering to fully screen from adjacent public streets and sensitive land uses;

- h.** Locate drive-through windows/services away from residential areas;

- i.** Provide adequate off-street stacking spaces for drive-through facilities and to avoid illumination of vehicle headlights on neighbouring properties;

- j.** Minimize hard surfaces;

- k.** Provide for legible signage and consolidate signage for multiple uses.

#### **4.10 Rural Area**

- 1.** The Rural Area will be conserved for the management or use of natural and renewable resources, principally agriculture, mining, mineral aggregates, and the protection of natural heritage features and water features. Recreational activities, infrastructure and public services facilities appropriate to the rural setting (e.g. waste management facilities, communication facilities, energy facilities, cemeteries) may also be permitted.
- 2.** Policies for land use and other activities listed above are found in this Plan as follows:
  - a.** Agriculture
  - b.** Mineral Aggregate Resources
  - c.** Mining
  - d.** Natural Environment
  - e.** Tourism, Recreation facilities

- 3.** Land uses permitted in the Rural Area other than those listed above will include:
  - a.** Public Service Facilities only in limited circumstances where the proponent can provide justification that such facilities cannot be located in a settlement area;
  - b.** Limited residential uses including resource-related accessory dwellings, recreational dwellings infill along the shoreline of Lake Timiskaming, along Lakeshore Road between New Liskeard and Haileybury, along the West Road, on existing lots of record, and for tourism or recreation-based residential uses including B & Bs. Rural residential subdivisions not exceeding five lots may be permitted;
  - c.** Kennels for commercial breeding or boarding provided lot sizes are large enough to mitigate noise and other impacts on adjacent properties occupied or zoned for a residential use;
  - d.** A facility for the production of medical marijuana provided that the facility is not located in a residential dwelling; provided that the registered property owner is a licensed producer and is in compliance with Health Canada's marijuana for medical purposes regulation; and provided the facility is demonstrated to be compatible with surrounding land. Such a facility shall only be permitted through an amendment to the zoning by-law.
  - e.** Communication facilities where they meet Industry Canada standards and appropriate consultation protocols;
  - f.** Portable asphalt plants and portable concrete plants;
  - g.** Existing uses including industrial uses;
  - h.** Traditional land uses practiced by First Nations (confined largely to Crown Land and water bodies);
  - i.** Infrastructure required to service the Rural Area or which extends through the City (e.g. rail and highway infrastructure corridors). (See Infrastructure).
- 4.** Development will only be permitted which can be sustained by rural service levels and which is compatible with adjacent uses (see Section 5.4.5).
- 5.** All development shall front on a year-round-maintained public road. Development will only be permitted where it can be adequately serviced with individual on-site sewage services and individual on-site water services and where site conditions are suitable for the long-term provision of such services.
- 6.** Where lot creation is permitted, the proponent shall demonstrate, by submission of a letter from a hauled sewage provider, that there is reserve sewage system capacity available for any hauled

sewage generated by the development. Partial or communal services will not be permitted.

- 7.** Tourism or recreation-based uses such as a lodge, tourist outfitter, marina, or golf course may be permitted where the proponent demonstrates that the use will be compatible with surrounding land uses and the character of the rural landscape and can be supported by rural service levels.
- 8.** The minimum distance separation formulae shall apply to new land uses, new or expanding livestock facilities and to new lot creation where applicable (see also Section 11.14).
- 9.** New industrial uses will only be permitted where demonstrated that the use cannot be located in a designated Employment Area (within a settlement area) and only where the use can be

made compatible with surrounding land uses. Existing industrial uses may be expanded where the use is compatible or can be made compatible with surrounding land uses. (See Planning Resource Kit.)

- 10.** All uses will be appropriately zoned. Site plan control may apply to non-residential uses, and to all land uses adjacent to a water body (i.e. residential, commercial, institutional and industrial). Site plan control will not apply to an agricultural use. Communication facilities governed by Industry Canada will require an undertaking (i.e. development agreement) addressing issues typically required by a site plan control agreement. (See also Section 15.15.)

#### **4.11 Land Division by Consent**

- 1.** Within Settlement Areas, consents may be granted in accordance with the following policies:

- a.** The consent shall conform to the settlement area policies of this Section of the Plan;
- b.** Consents may be permitted where the lot area is not large enough or suited to development by registered plan of subdivision (see also Sections 4.5.6, 4.10.3 (b) and 4.12);
- c.** A maximum of three severed lots and 1 retained lot per holding may be permitted;
- d.** Consents may be granted for infilling and small-scale developments for areas that are substantially developed;
- e.** Consents may be granted for assembling land for future uses;
- f.** Consents may only be granted where the developable portion of the lot is sufficient to meet all zoning standards (*example: portions of a lot within an unstable slope (hazardous site) shall be excluded from the calculation*);

- g. Consents may be granted for lot enlargement, lot boundary adjustments and title correction purposes.
2. Within the Rural Area, consents may be granted in accordance with the following policies (Note: these policies do not apply to the Agriculture land use designation) (see Section 11.19):
- a. The consent shall conform to the Rural Area policies of this Section of the Plan (Note: includes policies for Mineral Aggregate Resources, Mining, Natural Environment, Recreation facilities);
  - b. A consent may be granted for a residential lot in the Rural Area where the proposed lot will not conflict with an existing or proposed resource use.

**4.12 Land Division by Plan of Subdivision**

- 1. Proposals for land division resulting in more than three new lots, in addition to one retained lot, must occur by plan of

subdivision. An application for plan of subdivision shall be prepared in accordance with the requirements of the *Planning Act* and must comply with the relevant policies of this Plan, applicable schedules, and the City’s zoning by-law (see Section 15.18 for detailed requirements).

- 2. Proponents will be required to consult with the City before submitting an application for a plan of subdivision. Additional information, such as technical studies, may be required is assessing the appropriateness of the application (see Section 15.2 for study examples). Studies shall be undertaken by the proponent at his/her expense and prepared by professionals sufficiently qualified to do so. Applications may not be further processed until such studies are submitted and deemed to be adequate.

**4.13 Agricultural Research Station**

- 1. An existing Agricultural Research Facility is located within the settlement area of the former

Town of New Liskeard as identified on Schedule ‘C’. the Agricultural Research Facility has been established in New Liskeard for many years and is an integral facility for research, collaboration, innovation and environmental stewardship related to agriculture and agricultural production and processing in Northern Ontario.

- 2. **Policies:** On lands designated Agricultural Research Facility, the permitted uses are agriculture uses and associated research and other related uses. In addition, education, ancillary commercial (i.e. market gardens, road-side produce sales), agricultural events (i.e. trade shows, agricultural affairs), and other related public uses (i.e. public/community gardens) and accessory uses may be permitted where they do not alter the predominantly agriculture-research related nature of the Agriculture Research Facility.

#### 4.14 Land Use Compatibility

1. The Ministry of the Environment's D-6 Guidelines identify potential influence areas for industrial uses including aggregate operations to be as follows: Class 1 – 70 metres; Class II – 300 metres; and Class III – 1,000 metres. The 'actual' site-specific influence area may be lesser or greater than the potential influence area noted above, and can be determined through appropriate technical studies. Development of an industrial or sensitive land use within an influence area noted above may only be permitted where technical studies indicate the absence of a problem or where impacts can be mitigated to an insignificant level.

#### Community Initiatives for Community Development:

2014-2020

- Prepare and adopt Community Improvement Plans for Town centres in Haileybury and New Liskeard
- Prepare detailed Urban Design Guidelines

#### Planning Resource Kit

Minimum Distance Separation [MDS] Formulae, Implementation Guidelines, Publication 707, Ministry of Agriculture, Food and Rural Affairs  
[ag.info@omafra.gov.on.ca](mailto:ag.info@omafra.gov.on.ca)

Land Use Compatibility: Ministry of the Environment, Guideline D-1, Land Use Compatibility and Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Land

Drainage and Stormwater Management: Stormwater management Planning and Design Manual, 2003, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Water & Sewage Works

Definitions: Provincial Policy Statement (2014): brownfield site, development, designated and available, employment area, individual on-site sewage services, individual on-site water services, infrastructure, intensification, municipal sewage services, municipal water services, partial services, portable asphalt plant, portable concrete plant, public service facilities, redevelopment, residential intensification, reserve sewage system capacity, sensitive land use, settlement areas

## **5. INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES**

### **5.1 Introduction**

The growth and prosperity of the City is dependent on infrastructure to service development. The intent of the Plan is to ensure that the City is built on good roads, accessible transit, adequate water, sewer and waste disposal services, utilities and supportive rail services.

### **5.2 Goal Statement**

To provide infrastructure to meet service level needs for Settlement Areas and the rural area of the City.

### **5.3 Objectives**

The goal statement will be supported by the following objectives:

- 1.** To plan, design and upgrade infrastructure for existing and new development.
- 2.** To integrate City, provincial and private sector infrastructure services.

- 3.** To protect transportation and infrastructure corridors.
- 4.** To monitor the capacity of infrastructure to meet projected growth targets.
- 5.** To encourage, support and facilitate the design of an active travel system for pedestrians, cyclists and public transit.
- 6.** To support the adaptive re-use of infrastructure and require consideration of life-cycle costing through the City's asset management plan.

### **Policies**

#### **5.4 Water, Wastewater and Stormwater**

- 1.** The systems for water distribution and treatment, wastewater collection and treatment, and stormwater collection and release will be designed, built and operated in a manner which protects public health and safety, minimizes negative impacts on the natural environment, meets the requirements of the approval

authority and meets current and projected needs to support development in accordance with the Community Development policies of this Plan (see Section 3).

- 2.** All development applications will be evaluated to determine whether the City water, wastewater and storm water services adequate servicing capacity to support the proposed development (see also Wellhead and Intake Protection Zones). Proponents will be required to undertake an assessment of the reserve capacity for municipal sewage and water services as part of the evaluation. Development will not be approved where the servicing capacity is insufficient.
- 3.** Where possible, development within the Lagoon/Wastewater Catchment Areas and Water Distribution limits of the Settlement Areas will be serviced by municipal sewage services, municipal water services and stormwater services. Adjustments may be made to the boundaries of the catchment areas in

accordance with the phasing of development and the planned extension of services. Adjustments to the boundaries will not require an amendment to this Plan.

4. Stormwater facilities will be designed and constructed using best management practices (see also Section 4.9 Urban Design Principles and Planning Resource Kit) including the prevention of increased contaminant loads, minimizing changes in water balance and erosion, maximizing the use of vegetation, stormwater attenuation and re-use and by not increasing risks to human health and safety and property damage.
5. In the Rural Area development may be serviced with on-site individual services provided:
  - a. The proponent provides a letter from the approval authority stating that the site is suitable for sewage disposal; and the proponent provides a letter from a hauled sewage provider stating that there is sufficient off-site capacity for hauled sewage.

- b. The proponent provides a letter from a certified well drilling company confirming that potable water will be obtained;
- c. The lot size and configuration and site conditions are suitable for the long-term provision of water and sewage services (see Planning Resource Kit – Guideline D-5).
- d. That a servicing options statement and hydrogeological report prepared by a qualified professional is submitted where more than 4,500 litres [1,189 gals.] of effluent would be produced per day as a result of the development being completed.
- e. That the City will not permit the unjustified or uneconomical extension of infrastructure to the Rural Area (e.g. extension of municipal sewage and water systems).

## 5.5 Waste Management Systems

1. Waste management systems means sites and facilities to accommodate solid waste including landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots. The City will manage waste management systems in accordance with best management practices and provincial regulations. Active and closed sites are shown on the Land Use Schedules.
2. Proposed development within 500 m of the perimeter of a fill area of an active or closed site will require verification from a qualified professional that there will be no impacts from the waste management system on the proposed use that cannot otherwise be appropriately mitigated. Uses exempted from verification include infrastructure, forestry activities, extractive operations, mining activities and agricultural activities except animal husbandry. Closed or inactive sites may be used for other land uses subject to

meeting the requirements of the *Environmental Protection Act*. (See Planning Resource Kit, Guideline D-4 for requirements for development in areas adjacent to landfills.)

- 3. The City will provide for the closure and monitoring of waste management sites and will promote waste diversion to increase the lifespan of municipal waste management facilities.

## 5.6 Transportation

### 1. Provincial Highways

- a. Highway 11 is recognized as a controlled access provincial highway for through traffic.
- b. In addition to all the applicable municipal requirements, all proposed development located within the Ministry of Transportation permit control area will be subject to the Ministry of Transportation (MTO) approval under the *Public Transportation and Highway Improvement Act*.
- c. Any new areas in the City identified for future

development that are located within MTO's permit control area under the *Public Transportation and Highway Improvement Act* will be subject to MTO's access management policies, standards and requirements. Direct access will be discouraged and often prohibited.

- d. Access to provincial highways is restricted and development shall only be permitted where the applicable approvals/permits have been obtained. This may include a traffic and drainage study. An illumination study may be required for a retail facility.
- e. Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections. Where residential or other sensitive land uses are proposed within 100 metres of a provincial highway or 50 metres of a provincial highway right-of-

way, noise and vibration studies in accordance with Environmental Noise Guideline NPC-300 may be required prior to considering whether development should be approved (see Planning Resource Kit).

- f. Outdoor storage on properties abutting a provincial highway shall be visually screened and appropriately located to ensure that these uses are not a distraction to the travelling public.
- g. The conversion of a home based business or home industry with frontage on a provincial highway shall not be permitted where the effect is to create a change in an entrance from a residential or farmstead entrance to a commercial or industrial entrance or to create a new or separate entrance. A severance that would result in a separate entrance to a business will also not be permitted.

**h.** A second entrance for a property owner whose land lies beyond the permit control area and requests access to a provincial highway via another property owner's entrance will not be permitted.

**i.** The City will liaise with MTO to designate and integrate cycle routes on provincial highways and linkages to City cycling routes.

## **2. City Roads**

**a.** The City's road network consists of arterial, collector and local streets. Arterial roads are designed to carry the greatest volumes of traffic over the longest distances, to ensure the efficient movement of people and goods. Direct access from adjacent properties will be permitted where such access will not introduce traffic safety or capacity concerns.

**b.** Collector roads connect local roads to arterial roads and carry moderate volumes of traffic. Direct access from adjacent properties will be

permitted where such access will not introduce traffic safety or capacity concerns.

**c.** Local roads function within neighbourhoods and distribute traffic from the arterial and collector system to individual properties, typically over short distances.

**d.** The City will control access, parking, truck routes and traffic signalization as measures to ensure efficient movement of traffic, transit and pedestrians and cyclists. Traffic management studies may be required for development to assess traffic impacts and needed improvements (e.g. road widening, taper lanes, intersection improvements, traffic calming, signalization, crosswalks, and noise/vibration).

**e.** Where practical, the design of new streets or redevelopment of existing streetscapes will include the integration of active travel facilities for

pedestrians, cyclists and public transit.

**f.** In the design of the street network, preference will be given to a grid pattern wherever feasible, to provide for ease of movement within the community, to encourage walkability and to avoid cul-de-sacs except where environmental features or previous development patterns prevent through streets.

## **3. Public Transit**

Public transit services provide an environmentally and fiscally responsible alternative to the private automobile. The City will promote transit ridership through land use policies which increase the density of development and tailor the frequency, routing and safe use of transit services to Residential Neighbourhoods and Employment Areas. (See also Section 4.9 Urban Design Principles.)

#### **4. Railway**

The function of the railway is important to the economy and way-of-life in northeastern Ontario. To protect the rail line as a transportation corridor, noise-sensitive or incompatible land uses will be directed away from the corridor and/or the impacts of noise will be appropriately mitigated using Environmental Noise Guideline NPC-300 or its successors (see Planning Resource Kit). Where residential or other sensitive land uses are proposed within 100 metres of a principal main railway line or 50 metres of a secondary main railway line right-of-way, appropriate technical studies will be required. Studies will be completed by a consultant sufficiently qualified to do so, will assess negative noise effects and identify appropriate mitigation measures. Employment areas adjacent to the rail line will be promoted for rail-related uses.

#### **5.7 Infrastructure Corridors**

Infrastructure corridors and rights-of-way for pipelines, power transmission lines, provincial highways, provincially planned infrastructure corridors and City infrastructure will

be protected from land use development that could negatively affect the use of these corridors.

In particular, Trans-Canada PipeLines Limited operates three high pressure natural gas pipelines within its right-of-way which crosses the City and is identified on the Land Use Schedules. Any development within 200 m of TransCanada's facilities may affect the safety and integrity of the pipeline.

TransCanada is regulated by the National Energy Board which, in addition to TransCanada, has a number of requirements regulating development in proximity to the pipelines. This includes approval requirements for activities on or within 30 m of the right-of-way such as an excavation, blasting and any movement of heavy equipment. New development can result in increasing the population density in the area that may result in TransCanada being required to replace its pipeline to comply with CSA Code Z662. Therefore, the City shall require early consultation with TransCanada or its designated representative for any development proposals within 200 m of its facilities.

No permanent building or structure may be located within 7 m of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 m from the limit of the right-of-way. No building or structure is permitted within 3 m of the right-of-way.

In areas of more urban development, the City will encourage the development of TransCanada's right-of-way for passive parkland or open space purposes subject to TransCanada's easement rights.

#### **5.8 Well Head and Intake Protection Zones**

In the area that provides recharge to the aquifer serving the Dymond and New Liskeard municipal well (well head protection area – WHPA), or on lands that are part of the intake protection zone (IPZ) for Haileybury, the City will limit land uses that commonly employ or require the use and storage of toxic materials that can enter groundwater and surface water resources and contaminate the water supply. Reference will be made to the *Clean Water Act* for the identification of potential contaminants. The City may require studies using protocols acceptable to

the Ministry of the Environment that predicts the water quality impacts on a WHPA or the IPZ likely to occur from the development of the subject property, on down gradient properties and on the drinking water intake. The study will provide for protection and/or mitigation measures, if required, to avoid negative impacts. The City will work towards the preparation of a source water protection plan for conserving, protecting and enhancing water resources through consultation with the province.

The areas identified as well head protection areas and the intake protection zone is illustrated on the Land Use Schedules.

### **5.9 Public Service Facilities**

All development applications will be evaluated to determine whether the public service facilities are or will be capable of supporting the proposed development at acceptable levels of service, notably schools, health care facilities and emergency services.

### **5.10 Fire and Emergency Services**

Fire protection will be considered in making land use decisions by considering the following matters:

1. Ensuring that response times can be met.
2. Ensuring that Fire Services has the capability to fight/suppress the fire based on the Building Code occupancy.
3. Ensuring that fire routes provide uninhibited access for fire vehicles (and all other emergency vehicles).
4. Ensuring that the requirements of the Building Code and Fire Code be met.
5. Providing, wherever possible an alternate access route.
6. Ensuring that the construction and maintenance standard for a road is adequate to accommodate fire vehicles/apparatus and other types of emergency vehicles such as ambulances.
7. Ensuring that the source of water supply and pressure will be adequate for fire suppression.

8. Ensuring that the Emergency Measures Plan is up-to-date and updated on a regular basis.

9. Ensuring that planning for infrastructure and public service facilities includes consideration for emergency services.

### **5.11 Police Services**

Community safety will be considered in land use decision making through continued coordination between the City and the local Ontario Provincial Police detachment and to regularly bring to the attention of the OPP traffic, crime, safety, marine safety, social and other such public safety issues of importance to the quality of life in the City.

### **5.12 Health Care**

Health care will be considered for its importance to the quality of life and contribution to a healthy community by such measures as:

1. Encouraging the continued use of partnerships and coordination between the Temiskaming Hospital, Timiskaming Health Unit, le Centre de Santé Communautaire du Temiskaming, NE LHIN, the City of Temiskaming Shores, other municipalities served by the hospital, and other

health-related organizations in addressing the range of issues and challenges associated with the provision of health care in the District and programs which focus on protection, prevention and promotion.

2. Continuing the physician recruitment program as a joint initiative between the City, the Hospital Board and the Family Health Teams.
3. Continuing to build health care services as a component of the regional hub role of the City.
4. Advocating health care as an integral component of the healthy communities' concept.

### **5.13 Accessibility**

The intent of the Official Plan is to improve the quality of life for residents and visitors with disabilities through the following measures:

1. Providing for barrier-free accessibility of public buildings, institutions, and public spaces (e.g. schools, halls, libraries, arenas), parks and playgrounds, transportation infrastructure (e.g. bus and train terminals, buses, trains), dwelling units, offices,

stores, theatres and many other types of facilities.

2. The City has and will continue to lead by example by demonstrating steps that it has taken to improve conditions and continually recognize the need for barrier-free access.
3. New development, whether it is commercial, residential, industrial or institutional, will be required to meet accessibility requirements such as accessible entrances and exits, barrier-free parking spaces and elevators for multiple-level buildings.
4. The Plan recognizes the need for pedestrian protection and convenience in the public realm. Traffic studies will include consideration for traffic calming measures such as pedestrian cross-walks at appropriate locations. Sidewalks can be the most important pieces of infrastructure for accessibility reasons, as well as everyday mobility. Sidewalks, pathways and paved shoulders should be appropriately designed, constructed and maintained to facilitate barrier-free use where required. Wherever possible, sidewalks should be required on both sides of the street in medium

and high density residential and commercial areas, and on at least one side of the street in low density residential and industrial areas.

5. Site plan control will be used to require facilities to be designed and intended to have regard for persons with disabilities (see Section 15.15).
6. Community improvement projects will include as a criterion, the review of facilities for accessibility and the retrofitting of buildings and facilities to make them accessible.
7. In recognizing that not all facilities can easily be made accessible to all persons with disabilities, efforts will be made to ensure that facilities are made accessible in accordance with the built environment and the design of public spaces requirements of public accessibility legislation. Examples include recreation facilities such as the STATO trail.

#### **5.14 Adaptive Re-use of Infrastructure**

The City will incorporate the adaptive re-use of infrastructure as part of planning for current and projected infrastructure needs to service development and will incorporate the principle of life-cycle costing in the design of infrastructure as part of the City's asset management planning. (e.g. Asset Management Plan).

##### Planning Resource Kit

Land Use Compatibility: Ministry of the Environment, Guideline D-4, Land Use On or Near Landfills and Dumps, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Land

Noise: Ministry of the Environment, Guideline LU-131, Noise Assessment in Land Use Planning: Requirements, Procedures and Implementation, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Land

Drainage and Stormwater Management: Stormwater management Planning and Design Manual, 2003, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Water & Sewage Works

Requirements for on-site individual sewage systems: Ministry of the Environment, Guideline D-5, Planning for Sewage and Water Services including D-D-4, Technical Guideline for Individual On-Site Sewage Systems and D-5-5, Private Wells: Water Supply Assessment [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Land

Definitions: Provincial Policy Statement (2014): development, infrastructure, public service facilities, redevelopment, residential intensification, reserve sewage system capacity, sensitive land use, settlement areas

## **6. ECONOMIC DEVELOPMENT**

### **6.1 Introduction**

Temiskaming Shores serves as a regional hub within Timiskaming District and is a major centre for economic activity in northeastern Ontario. The City also has a stable commercial and industrial tax base, and as a result, is a net importer of employees each day from nearby communities.

Employers provided a total of 6,040 jobs in Temiskaming Shores in 2006 of which 2,315 are characterized as economic base jobs. Temiskaming Shores' economic base jobs are divided into three major categories:

- 1.** Those that reflect industrial pursuits (the primary industries; manufacturing; transportation and warehousing; and wholesaling);
- 2.** Those that reflect tourism (retail trade; information and culture; arts and recreation; and accommodation and food);
- 3.** Those that reflect its role as a provider of both public and

private sector services to people outside of the City itself (education; health; public administration; other personal services; etc.).

The City is committed to aggressively pursue a program of economic development. The employment base is projected to grow from 6,050 to 8,230 by 2031, an increase of 2,180 jobs. The role of the Official Plan will be to provide a supportive policy framework for employment growth.

The City will also benefit from aligning the Community Economic Development Action Plan (CEDAC) to the Growth Plan for Northern Ontario. The development of a strong and vibrant City recognizes the need for development of key community economic sectors including education, health and well-being, agriculture, tourism, industry, cultural and retail and service sectors.

### **6.2 Goal Statement**

To create a positive environment for substantive employment growth and the retention of a healthy and sustainable economic base.

### **6.3 Objectives**

- 1.** To provide an adequate supply of serviced employment lands to accommodate a full range of commercial, industrial, and institutional land uses.
- 2.** To market the City as a regional hub.
- 3.** To market the City as a centre for knowledge-based research and entrepreneurship.
- 4.** To avoid and mitigate land use conflicts.

### **6.4 Strategy for Economic Development**

The intent of the Official Plan is to support economic development through such actions as:

- 1.** Maintaining an open-for-business attitude and to promote and plan for the City as an investment-ready community that supports a healthy and diversified economic base.
- 2.** Providing for a supportive economic development structure in City Hall that demonstrates professionalism, transparency, confidentiality where required, expediency and equitable

treatment in facilitating economic development.

- 3.** Maintaining an adequate supply of serviced employment land for industrial, commercial and institutional development for a 20 year time horizon.
- 4.** Supporting land use development that strengthens and maintains the vitality and well-being of town centres.
- 5.** Developing a branding for the City.
- 6.** Aligning economic development strategies which complement and support the Growth Plan for Northern Ontario.
- 7.** Implementing the Community Economic Development Action Plan (CEDAC).
- 8.** Strengthening the regional hub role of the City and encouraging the maintenance and expansion of tourism facilities and infrastructure.

- 9.** Providing support for the manufacturing sector with particular emphasis on job retention, job training and job creation.
- 10.** Building strong linkages between post-secondary institutions, research opportunities, knowledge based industries and labour market planning.
- 11.** Integrating post-secondary facilities as one of the building blocks in the City's economic strategy through the promotion of specialized or unique training and education programs (i.e. mining technologies, agricultural research), R & D and labor force planning as it relates to retaining youth in the north.
- 12.** Developing a youth-retention-and-return strategy as a component of labour force planning.
- 13.** Co-ordinating economic development initiatives with other municipalities in the District of Timiskaming and with

counterparts in northeastern Ontario and northwestern Quebec.

- 14.** Promoting resource-based industries, notably agriculture, mining, forestry and mineral aggregate resource extraction.
- 15.** Encouraging and supporting the tourism industry, sporting events and conventions.
- 16.** Implementing the 2013 Municipal Cultural Plan with particular emphasis on: developing robust, fun and strong downtown cores, building upon and promoting economic and cultural opportunities created by the agricultural community; and to acknowledge and promote community arts, culture and sports festivals and events. A key principle of the cultural plan will be to support Temiskaming Shores as an active, outdoor and naturally beautiful city.
- 17.** Encouraging small business development such as home based and cottage industries, local food production, farm gate produce sales and secondary uses.

**18.** Encouraging leaders in both the private and public sectors to work together to preserve the City's existing industrial base (i.e. limit the loss of manufacturing jobs) and enhance growth of sustainable green investment and manufacturing.

**19.** Work towards preparing an employment growth strategy with a particular focus on the strengthening of the City's regional hub role in the provision of health care, educational services (especially post-secondary), social and recreational services, the expansion of tourism activities and the related provision of quality support services, especially in the areas of food, accommodation and retail operations.

**20.** Ensuring that economic initiatives are inclusive of all sectors of society including but not limited to persons with disabilities, aboriginals, low income residents and youth.

**21.** Supporting immigration programs and programs that attract an international clientele.

**22.** Continue to diversify the economic base by identifying niche markets for goods and services or the substitution of imported commodities from other parts of Ontario, Canada or internationally.

**23.** Promote healthy lifestyles and encourage programs, activities and services that enhance the quality of life, accessibility and active living and provide for a four-season liveable and healthy community as measures to attract investment and in-migration.

**24.** Ensuring the sustainability of the agricultural research station, including actions such as supporting the northern Ontario Farm Innovation Alliance (NOFIA) working and advocating at all levels for the preservation of the research station and the role of the region as the hub of agriculture expertise and innovation of Northeastern Ontario.

**25.** Supporting economic development by planning and providing for adequate communication infrastructure, energy infrastructure and services that facilitate the movement of goods and products.

## **6.5 Growth Plan for Northern Ontario**

**1.** The City recognizes the need to nurture the development of the local economic base in conjunction with provincial objectives for growing the Northern Ontario economy as set out in the Growth Plan for Northern Ontario. The City promotes a collaborative approach to implementation of the provincial policies in local decisions made with respect to land use, investment in infrastructure and the initiatives and actions set out in the Strategy for Economic Development in Section 6.4 above.

**2.** The intent of the Plan is to enable the City to position itself as an regional hub for a broader surrounding region with respect

to stimulating employment growth, providing a diverse range of services, providing a 20 year supply of land including serviced land for an appropriate range of housing types and other land uses, providing high quality public services and spaces, by developing prosperous town centres with accessible services, by providing recreational opportunities and by enhancing the cultural life and community identity of Temiskaming Shores.

- 3.** The City recognizes the importance of sustainable transportation services in providing access to local, regional, provincial and international markets and intends to support rail, air transport and highway corridors in particular.
- 4.** The policies of the official plan to the extent described above and throughout the Plan are in conformity with the Growth Plan for Northern Ontario.

## Community Initiatives for Economic Development

Period 2014-2020

- Developing a branding for the City
- Preparing a strategic plan for economic development
- Building a partnership network among economic development stakeholders

## **7. RECREATION, CULTURAL AND EDUCATIONAL SERVICES**

### **7.1 Introduction**

Healthy communities are active communities. While the role of a municipality is to provide recreational facilities and programs suited to the needs of healthy lifestyles, services are also delivered by the private sector as commercial services and by non-profit service clubs and other organizations to meet the diverse interests of residents and visitors. The challenge is to ensure that public and private recreational services complement each other while also adapting to the changing needs of the community.

The amalgamation of the former municipalities brought about the consolidation of a broad variety of parks, playgrounds, recreational facilities, trails systems, community halls and associated programs under the umbrella of the new City. The strategic location of the City on the shores of Lake Timiskaming has fostered a unifying interest in the use

of the waterfront for recreational purposes. The ongoing development by the South Temiskaming Active Travel Organization (STATO) of the 20 km active travel system provides an interconnecting trail linkage between the waterfront and neighbourhoods and activity areas throughout the City. The City has yet to prepare a Master Recreation Plan and as an interim measure the emphasis has been on the maintenance and improvement of existing facilities in parallel with the development of new services.

Given the significance and extent of the waterfront in New Liskeard and Haileybury, there is a need for the preparation of a comprehensive Master Plan.

Through the Youth Planning Challenge, numerous suggestions were made for improvements to recreation services and activities in the City.

The official plan provides for a mix of active and passive recreation facilities and activities tailored to all age groups and varied needs. Recreation facilities in the Recreation designation

may be integrated with natural areas where they are compatible.

Cultural and educational services are integral to the needs of a healthy and progressive community. The intent of the Plan is to ensure that library services and educational services are planned to meet current and projected community needs.

### **7.2 Definition**

Recreation facilities are intensive activities requiring a land base such as waterfront areas, trails, parks, sports fields and recreation complexes, libraries, marinas, campgrounds, conservation areas, curling clubs and golf courses.

### **7.3 Goal Statements**

- 1.** To plan and provide for a full range and equitable distribution of publicly accessible recreation facilities and programs that meets the diverse and on-going needs of residents.
- 2.** To protect the ecological functions of natural areas in the design and installation of recreation facilities.

3. To prevent intrusion in prime agricultural areas and on extractive resources.
4. To protect water quality and quantity in the design and installation of recreation facilities.

#### **7.4 Objectives**

The goal statement will be supported by the following objectives:

1. To coordinate the planning and provision of recreation facilities with private sector and not-for-profit organizations.
2. To monitor and respond to changing needs.
3. To encourage access, and accessibility by persons with disabilities.
4. To encourage and facilitate the development of facilities that creates physical linkages across the City.
5. To ensure that recreation facilities are compatible with natural areas, are directed away from resource uses and are properly serviced.

#### **7.5 Planning**

1. The City will integrate the planning and delivery of recreation facilities with other organizations through private/public partnerships and single services. Youth will be consulted in the planning process.
2. The City will prepare a Parks, Recreation and Waterfront Master Plan as the basis for capital planning, programming and facility development.
3. In particular, the City will prepare a detailed design and capital plan for improvements to the waterfront in New Liskeard and Haileybury which ensures that the waterfront is developed as a year-round destination, is integrated with the City's active travel systems and is connected with the downtown business core and other community and recreation facilities.
4. The City will provide facilities and programs as a central component to a strategy for a healthy community including inclusive, safe, affordable and quality facilities and recreational

programs for all ages and physical abilities.

5. Applicable standards of the City's Accessibility Plan will be integrated into planning for recreation facilities.
6. Revenues collected from cash-in-lieu of parkland will be allocated to facilities based on the City's capital program for recreation facilities.

#### **7.6 Designation**

The Recreation land use designation will apply to a range of recreation facilities which require a land base including but not limited to those listed in the definition.

Lands designated Recreation and active travel corridors are illustrated on the Land Use Schedules. Trails shall be interpreted to include their associated corridor area.

#### **7.7 Development Standards**

The following development standards shall apply in the planning, design and installation of facilities in the City designed to meet current and projected recreation and leisure needs. Facilities are intended to be

located in the Recreation designation as shown on the Land Use Schedules:

- 1.** Neighbourhood parks and playgrounds should be located within convenient walking distance of the areas they serve. Community parks should be strategically located in the community.
- 2.** The number, land area and scope of active and passive parks will be planned, designed and developed or redeveloped in keeping with the needs of the residents in the area they serve.
- 3.** Development of recreation facilities will be designed to be compatible with surrounding land uses.
- 4.** The design and construction or installation of recreation facilities will be harmonized with natural features including topography and woodlands. The policies for Natural Environment will apply to any development of recreation facilities.

- 5.** Provision for active travel planning, design and construction will consider safety, accessibility, maintenance and signage. Provision will be made for the integration of trails as linkages to transportation corridors, community activity areas (e.g. waterfront, town centres, and residential neighbourhoods) and high activity areas (e.g. schools).
- 6.** Provision will also be made for environmental design that enhances public safety through natural surveillance, enhanced lighting, visibility from the street, well-located and clearly marked building and park entrances, accessibility for emergency services and limited pedestrian and vehicle interface. Parks should be designed with reasonable street frontage and pedestrian connections to residential areas.
- 7.** Publicly owned waterfront lands will be retained in the public domain to ensure that opportunities are provided for public access to water and water-oriented land uses. The City intends to work with user groups

in the preparation of a Parks, Recreation and Waterfront Master Plan for waterfront areas to define scope of uses, accessibility to a wide range of users including persons with disabilities, capital improvements and facilities that support a healthy and safe community. The City may acquire additional lands to add to the inventory of waterfront lands held in the public domain.

- 8.** As much of the shoreline as is possible will be maintained in a natural state.
- 9.** Development will proceed in accordance with the requirements of the Parks, Recreation and Waterfront Master Plan for publicly owned lands once the Master Plan has been approved. Existing uses will be permitted in the interim period. Development authorized by the Master Plan as well as development on private lands will be subject to appropriate site plans and agreements addressing design, phasing, services, landscaping, communal areas, location and massing of facilities, energy conservation, access,

vehicular, pedestrian and cycling linkages and accessibility for persons with disabilities.

10. Adequate services including water supply, sewage disposal, stormwater management and drainage shall be provided to service recreation facilities.
11. Vehicle access will be provided by a public road.
12. All development shall be appropriately zoned.

### 7.8 Parkland Dedication

Parkland dedication shall be provided in accordance with the *Planning Act*. The City is not obliged to accept unsuitable land for park purposes (e.g. hazardous sites, sensitive sites). The City may utilize the bonusing provisions of the *Planning Act* to acquire additional parkland.

### 7.9 Campgrounds

1. Campgrounds will be limited to seasonal and recreational occupancy except for an accessory dwelling for the proprietor.

2. Potable water shall be supplied by a communal water system and/or communal faucets approved by the Ministry of the Environment and/or Timiskaming Health Unit.
3. Sewage disposal will be provided by a communal sewage system and/or a communal washroom facility to the satisfaction of the Ministry of the Environment and/or Timiskaming District Health Unit.

4. As much of the shoreline will be retained in a natural state as is possible.
5. Campgrounds may be permitted in the Rural Area where appropriately zoned. Campgrounds may only be permitted in Settlement Areas located away or adequately buffered (separated) from Residential Neighbourhoods and Employment Areas and appropriately zoned.

6. Site plan control may apply.

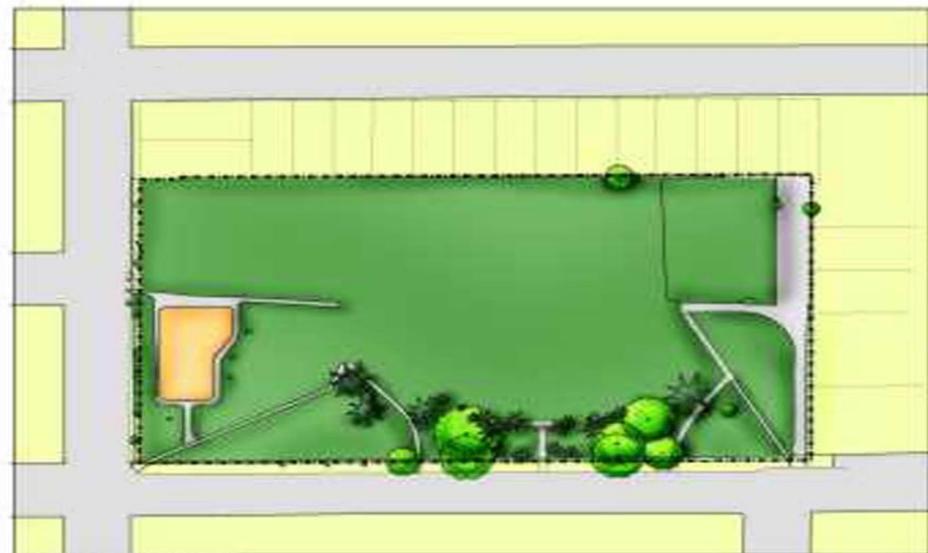


Figure: As seen above, not all parks/parkettes are required to have playground equipment. In some cases, parks are better utilized when there is more open space.

### **7.10 Golf Courses**

- 1.** Golf courses may be permitted in Settlement Areas and the Rural Area. Golf courses will not be permitted where they conflict with the stewardship of natural resources or conservation of the natural environment. Golf course facilities may include a club house, driving range, banquet facilities and accessory leisure facilities and programs provided they are environmentally sustainable.
- 2.** New courses or expansion to an existing course may be subject to justification studies (e.g. hydrogeology, hydrology, traffic, archaeology).
- 3.** Proponents of golf course development will be encouraged to prepare a water use plan to help protect water resources.
- 4.** Site plan control may apply.

### **7.11 Integrated Recreation and Housing Development**

Mixed-use recreation and housing developments including condominiums will be permitted where they comply with the

Settlement Area policies of this Plan. Mixed-use proposals in the Rural Area will require an amendment to the zoning by-law subject to the following Criteria:

- 1.** Submission of a servicing options report which assesses and recommends a cost-efficient and environmentally sound method of servicing.
- 2.** An assessment of the potential impacts on access to and conservation or development of natural resources.
- 3.** Submission of justification studies where required (e.g. traffic, archaeology, impact assessment on natural heritage features etc.).

### **7.12 Library Services**

- 1.** The intent of the Plan is to recognize the importance of library services for their educational, research and resource benefit to a multi-cultural community.
- 2.** The City intends to undertake a space needs analysis and Library Services review.

- 3.** Library facilities (space needs) will be planned to meet current and projected needs to ensure that capacity is available to meet the future needs of the community in both official languages.
- 4.** The intent of the Plan is to encourage the municipal and post-secondary systems to assess the opportunities for a more integrated delivery of library services to the public.

### **7.13 Educational Services**

- 1.** Facilities such as schools, colleges and libraries are part of the building blocks of a community and society. These institutions prepare people of all ages and abilities for working and contributing to our societies, both locally and globally. It is important that these facilities continue to operate and train students and residents of the City well into the future. This is in part dependant on continued investment into buildings, equipment, books, and human resources by all levels of government and the private sector. The continued success of these places of learning is linked to the success of the community

as a whole. Schools and libraries, apart from providing space for learning, also provide green space and parks, as well as facilities for meetings.

2. The intent of the Plan is to recognize and emphasize the importance of providing educational services to all ages in two languages and in all subjects.
3. In the review of development applications the City will ensure that capacity is available in the elementary and high school levels to accommodate increased enrolment arising from new development. School Boards will be integrated into the land use planning process in planning for the extension, replacement or construction of new schools.
4. New development will be designed to integrate existing and future school sites into active travel systems as a means to reduce energy costs and promote healthy living styles. The location of new schools should be planned to integrate school sites with open space and non-motorized trail

facilities and which avoid children having to cross major roads.

5. School facilities will be considered as community facilities by integrating their use for non-educational purposes where feasible. Schools will be considered as buildings within an open space or campus setting designed to enhance their use for both educational and recreation activities.

Recreation and Leisure facilities Initiatives:  
Period: 2014-2020

- Complete an Active Travel System Plan
- Prepare a Parks, Recreation and Waterfront Master Plan
- Prepare capital plan for recreation and leisure facilities

## 8. HEALTHY COMMUNITIES

### 8.1 Introduction

A healthy community is made up of many components. They may be broadly classified as physical, social, economic and environmental. A healthy community physically, is one with good roads, adequate parks and playgrounds, clean water; is one that maintains buildings in good repair; is a community that avoids land use conflicts (e.g. locating a junk yard beside a school). In other words, it is a community that takes pride in its appearance and image. Social health may mean the provision of medical, social and community services that are important to our mental and physical health. Proactive physician recruitment, wellness programs, best health care for the community are some examples. Environmental health may mean cleaning up a river bed, a beautification program for the town centres, conserving fish and wildlife habitat or a source water protection program. From an economic standpoint, a healthy community implies steady employment, new business

development and most of all a collective energy by residents and businesses that is positive and is always examining opportunities to make for a better and healthier community.

### 8.2 Goal Statement

To achieve the identity as a healthy community and to integrate the planning for a healthy community as an integral component of the City's land use planning process.

### 8.3 Strategy for Developing a Healthy Community

1. The City will screen planning applications to include a question as to how proposed development will contribute to a healthy community.
2. The City will work with community partners, including local public health, and engaging local priority populations (youth, aboriginal, francophone, persons with disabilities) to develop and support a comprehensive healthy, safe community framework and strategy.
3. The City will strengthen and promote the identity of

Temiskaming Shores as a unified community and will create a branding for the City that can market its amenities and opportunities.

4. The City will work with other public agencies to monitor the vital signs of the community on a regular basis.



### 8.4 Short Term Initiatives

Initiatives to be undertaken within the first five years of the life of this Plan which are considered as integral to developing the City's identity as a healthy community are as follows:

1. Enroll as a member of the Ontario Healthy Communities Coalition [www.ohcc-ccso.ca](http://www.ohcc-ccso.ca).

2. Engage youth in community decision making inside and outside of local government.
3. Promote activities and make decisions that serve to unify the City from an administrative, cultural, and social perspective.
4. Continue the program for physician recruitment
5. Promote the City as a regional hub.
6. Partner with agencies to monitor the vital signs of the community (e.g. community safety and crime rates; health conditions based on rates of obesity, cancer; employment and job creation; water quality; community pride from the standpoint of visual appearance, community events and cultural exchanges).
7. Conserve the quality of life through land use decisions that protect the health of the natural environment, protect and improve the quality of air and water resources, maintain a safe community, conserve a vibrant cultural diversity, and improve the aesthetic or visual appeal of the built form and natural landscapes.
8. Create an ambassador program to encourage residents and business owners to promote the community when travelling.
9. Build in recognition of candidate programs and activities for a healthy community including programs against tobacco and substance abuse and exposure.
10. Where feasible, utilize best practice strategies for an age-friendly city.
11. Promoting the development and use of community gardens throughout the City by permitting community gardens in all zones on appropriate sites outside natural hazard areas and hazard lands, on lands free from contaminated soils and where adverse effects on adjacent lands are mitigated. Community gardens may include rooftop gardens.
12. Supporting food growing and sharing in neighbourhoods through urban agricultural activities (e.g. farmers' markets, planting fruit trees in public areas, raising of backyard chickens, sale of locally produced foods by retailers and grocery outlets, small-scale greenhouses on residential properties, greenhouse atriums in buildings); also roadside produce outlets in the rural area.
13. Planning, encouraging and facilitating the integration of active travel systems including:
  - a. Safe routes to school, public facilities and services, retail areas, workplaces, places of worship and recreation and cultural areas;
  - b. Providing infrastructure to support active travel (e.g. sidewalks, off-street trails, dedicated bikeways, bicycle parking facilities, pedestrian crosswalks and transit shelters);
  - c. Provision of public transit services and facilities that accommodate pedestrians, cyclists and people with

disabilities. (See also Section 4.9, Urban Design.)

- d.** The City will endeavour to maintain active transportation routes on a year-round basis and where demand warrants.

#### Community Initiatives for a Healthy Community:

Period 2014-2020

- Undertake a detailed healthy communities strategy
- Enrol in the Ontario healthy Communities Coalition
- Establish a vital signs monitoring program

#### Planning Resource Kit

- Ontario Healthy Communities Coalition  
[www.ohcc-ccso.ca](http://www.ohcc-ccso.ca)
- Vital Signs:  
[www.vitalsignscanada.ca](http://www.vitalsignscanada.ca)

## 9. COORDINATION

### 9.1 Introduction

Land use planning decisions affect and are affected by many stakeholders and by shared landscapes and resources. A coordinated, integrated and comprehensive approach to land use planning which considers these and other criteria will lead to more equitable and well-rounded decision-making.

Temiskaming Shores is a single-tier municipality in the District of Timiskaming and a member of the Timiskaming Municipal Association, an organization which meets and works co-operatively on matters of mutual interest. The City is also part of the District of Timiskaming Social Services Administration Board, an agency that delivers social services and social housing to all municipalities in the district. The City and the Timiskaming Board of Health, an agency that promotes public health. The City has from time-to-time been a member of other regional or district organizations or structures created with a vested-interest

The City shares a watershed from which the Town of Cobalt derives its municipal water supply (Sasaginaga Lake), a lake which extends into Bucke Township in the south end of the City. The Lake Timiskaming Shoreline is shared by municipalities in both Ontario and Quebec and is historically important for the fur trade in Canada and later, the genesis of development in the area. The City also shares a common agricultural interest with bordering municipalities such as Hudson, Harris, Harley, Casey and Kerns which are all part of the Little Clay Belt. On the south end of the City, the Town of Cobalt and the Township of Coleman share a common mining legacy.

Key infrastructure corridors that pass through the City include the TransCanada Pipeline, Union Gas, Hydro, ONR and Bell Canada fibre optic cable.

While the region is shared by organized municipalities, the role and interest of First Nation communities is an integral part of the cultural and development mosaic.

Co-ordination is an operative philosophy in the history of

development in the District of Timiskaming and continues to be important as communities grow and develop.



### 9.2 Goal Statement

To ensure that land use decisions provide for a coordinated, integrated and comprehensive approach in managing growth, the stewardship of resources and the protection of the environment where the decisions involve stakeholders and other municipalities.

### 9.3 Policies

1. The City intends to monitor population, employment and housing development having regard to trends across the District of Timiskaming with the intent of reflecting the growth projections of other municipalities as they may affect Temiskaming Shores.
2. The City will collaborate on matters of economic development planning and programming among regional stakeholders such as business, municipalities,

government and education organizations and First Nations.

3. The City will work towards the development of a source water protection strategy that minimizes the potential impact of land use activities on shared water sources and by introducing or providing measures for conserving or enhancing water quality (e.g. preparing a stormwater/drainage master plan, BMPs, sewage treatment, well water and private sewage system construction/maintenance, shoreline management). In particular, land use decisions respecting development adjacent or near Clear Lake, Sharpe Lake and Sasaginaga Lake shall respect the requirements of the Cobalt Water Act.
4. The City will protect common transportation and infrastructure corridors.
5. The City will collaborate joint transit planning with adjoining municipalities.
6. The City will conserve cultural heritage and archaeological resources by developing protocols for consultation with adjoining municipalities and First Nations.

7. The City will coordinate the design, development, expansion and monitoring of waste management systems and the environmental impacts on common watersheds.
8. The City will provide for on-going communication with the Ontario Provincial Police regarding safety, crime and social issues in the City. Council will explore opportunities with the City's Police Services Board to work with neighbouring municipalities Police Services Boards for a coordinated approach for maintaining safety in the region.

### Coordination Initiatives

Period: 2014-2020

- Review joint transit routes
- Establish consultation protocols with First Nations and area municipalities
- Investigate opportunities for joint community policing actions

## 10. NATURAL ENVIRONMENT

### 10.1 Introduction

The intent of this Plan is to preserve and protect existing natural areas and to promote the restoration of the natural environment wherever possible. The Natural Environment policies of this Plan address such matters as:

1. Natural Heritage Features and Areas
2. Locally Significant Natural Features including:
  - a. Forests and woodlots;
  - b. Rivers, streams and valleylands;
  - c. The lakeshore ;
  - d. Water resources;
  - e. Limestone escarpments
3. Lake Capacity
4. Natural Hazards

Temiskaming Shores is immensely rich in natural heritage. The City's lakes, rivers, forests, animal habitats,

species and natural areas makes Temiskaming Shores a unique community and provides ample opportunity for recreational engagement and economic development. Despite being a highly urbanized community, there are many areas of land and shoreline that remain pristine and untouched. The Wabi River and Mill Creek and their tributaries are important linkages or corridors for wildlife and fish. The shoreline of Lake Temiskaming is an important natural environment area that also serves as an area for recreation and many land use activities. Despite the natural resources of the area, a comprehensive inventory of natural environment areas has not been undertaken.

The community believes that a healthy environment is a priority and believes that it is a responsibility of all residents to protect and maintain. Natural environment areas must be improved in quality, linkages should be protected and re-established and natural areas should be expanded.

### 10.2 Goal Statements

1. To recognize and protect the ecological values of natural areas.
2. To protect, improve or restore the quality and quantity of water resources in lakes, groundwater, and surface water including rivers, streams and Lake Temiskaming.
3. To ensure a healthy environment and improved quality of life through the protection and enhancement of natural areas and resources.
4. To encourage compatible development in keeping with the environmental, social and economic goals of the community, and;
5. To direct development away from natural hazards.

### 10.3 Objectives

The goal statement will be supported by the following objectives:

1. To identify, inventory and protect areas of the natural environment which are of provincial and local significance.

2. To conserve, protect and re-establish natural environment areas, recognizing the diversity of natural features and the connections or linkages between them.
3. To maintain the landscape for maximum bio-diversity, beauty and its inherent value.
4. To heighten public awareness, involve youth, increase stewardship and enhance community cooperation for protection of the natural environment.
5. To recognize and integrate natural areas into resource activities, particularly agriculture.
6. To sustain and improve the quality and quantity of water resources on a watershed-wide basis.

#### 10.4 Natural Environment Areas Inventory

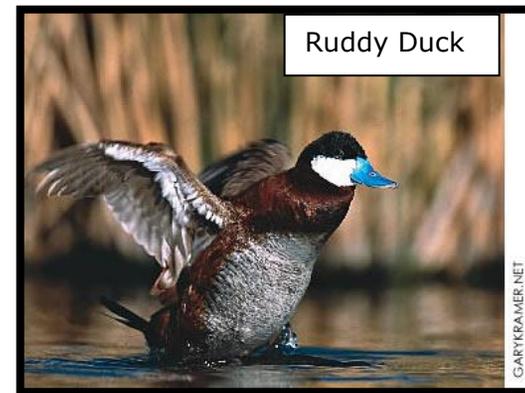
All natural environment areas including natural heritage features and areas will be protected. The features which make up the current

inventory have been identified on the Land Use Schedules. The intent of this Plan is to provide for a more detailed inventory and analysis of natural environment areas within the City. The inventory may consist of information provided by the Ministry of Natural Resources, information derived from the review of development applications, and a comprehensive assessment.

#### 10.5 Natural Heritage Features and Areas

The following policies shall apply to natural heritage features and areas:

1. Natural heritage features and areas shall include:
  - a. Significant wetlands;
  - b. Significant habitat of endangered species, threatened species, species at risk;
  - c. Significant wildlife habitat;
  - d. Fish habitat
  - e. Significant areas of natural and scientific interest.
2. Development or site alteration shall not be permitted in significant habitat of endangered or threatened species



3. Development and site alteration shall not be permitted in significant wetlands, significant wildlife habitat, and significant areas of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (see Section 10.11 for EIS requirements).
4. Development shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
5. Development shall not be permitted on adjacent lands to the natural heritage features and areas identified in Section 10.5.1

above unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (see Section 10.11 for EIS requirements).

- 6.** Adjacent lands are those lands within:
  - a.** 120 m [393.7 ft.] of the significant habitat of endangered and threatened species;
  - b.** 120 m [393.7 ft.] of a significant wetlands;
  - c.** 120 m [393.7 ft.] of significant wildlife habitat
  - d.** 120 m [393.7 ft.] of fish habitat and 300 m [984.3 ft.] of an inland at-capacity lake trout lake;
  - e.** 120 m [164 ft.] from significant areas of natural or scientific interest – life science and 50 m for an ANSI – earth science.
- 7.** While it is the intent of this Plan to protect natural heritage features and areas and prohibit development, applications for development or site alteration may arise from time to time. In the

evaluation of these applications, the protection of these features and areas will be given priority.

As an initial step, an appropriate level of ecological site assessment shall be conducted prior to accepting an application for development as complete (see Section 15.2) or prior to approval of a development application to determine if significant natural heritage features and areas, including species at risk, are present on or adjacent to the development lands. Where the initial assessment determines that one or more natural heritage features is present, no development or site alteration shall be permitted unless an Environmental Impact Study (EIS) is completed which demonstrates that no negative impacts will result on the natural features or their ecological functions (see Section 10.11 for EIS requirements).

#### **10.6 Locally Significant Natural Features**

- 1.** All locally significant natural features within Temiskaming Shores will be protected.

Significant natural heritage features and areas in the City are illustrated on the Land Use Schedules under Natural Environment.

- 2.** Locally Significant Natural Features consist of the following:
  - a.** Unclassified wetlands;
  - b.** Forests and woodlots;
  - c.** Rivers, streams and valleylands;
  - d.** The lakeshore;
  - e.** Water resources including surface water features and groundwater features;
  - f.** Limestone escarpments.
- 3.** Locally significant natural features are intended to remain in their natural state or restored to a natural state. No development or site alteration will be allowed in these natural areas, except for the lakeshore of Lake Temiskaming where permitted in this Section and Section 4. Development and site alteration in a forested area in the rural area will be allowed where permitted in this Section and Section 4.

## 10.7 Forestry, Woodlots, Drainage

1. Forestry practices and woodlot management that respect ecological functions are encouraged. Selective cutting and pruning to maintain the health of forests and woodlots is permitted. Tree planting and increasing forest cover will be promoted. Clearing of natural environment areas is not permitted. A tree retention/planting plan may be required for subdivisions and site plans and will include measures for protection during construction.
2. Existing tree lines along property boundaries will be maintained.
3. Alterations to drainage of natural areas are discouraged and where permitted under the *Drainage Act*, will respect ecological functions and their features. (See also Section 11.2 Agriculture for policies on natural areas.)
4. Development will be directed away from surface water features and ground water features except where a hydrogeological study and/or Environmental Impact

Study (See Section 10.11) demonstrates that development will not create an adverse effect. In particular, land use decisions respecting development adjacent or near Clear Lake and Sasaginaga Lake shall respect the requirements of the Cobalt Water Act.

5. Development will be directed away from forested and other natural areas where an alternative location exists on the property. However, new lot creation on the Lake Temiskaming shoreline in a forested area or adjacent to a valleyland may be permitted where development will comply with the Natural Environment policies and the policies of the underlying or adjacent land use designation.
6. Existing lots containing woodland or other natural features may be developed for a residence or non-residential use including accessory buildings where development does not detrimentally affect the natural environment goals of this Plan. The following requirements will apply to existing lots, and new lot creation where specified:

### Best Management Practices

- Retain, restore or plant a buffer zone of native vegetation at least 30 m in depth from high water mark
- Preserve all mature trees and prune or remove dead trees to maintain ecological health
- Opt for a floating or pipe dock
- Soften hard walkways and drives and replace concrete breakwalls with gentle slopes or natural materials
- Forgo use of pesticides, fertilizers and herbicides
- Use environmentally friendly materials for construction
- Keep oil, gas and solvents away from water's edge
- Trap run-off with greater plant cover
- Protect key habitat areas for fish
- Maintain sewage systems

- a. Where no alternative location exists on the property that is outside the forested area, the building lot may be developed provided clearing of trees is limited to the building envelope (e.g. main building, accessory buildings, driveway access and parking) and the

building envelope is outside of any other natural feature (applies to new and existing lots in forested areas).

- b.** On the lakeshore of Lake Temiskaming or shoreline of an inland lake or tributary in the Rural Area, any new residential building and sewage disposal tile field or filter bed shall be set back from the high water mark.
- c.** An Environmental Impact Study may be required for any residential or non-residential development on the lakeshore and shoreline and may be used to establish setbacks for non-residential development. Site plan control may be used to provide for the reinstatement or improvement of the shoreline (e.g. revegetation and sediment/erosion control). Best management practices will apply to all shoreline areas (new and existing lots) (see examples in insert).
- d.** On valleylands, notably the Wabi River, and Mill Creek and their tributaries, development shall be set back from the top of the bank and the setback may be determined through a

geotechnical study in areas of unstable slopes (applies to new and existing lots).

- e.** On limestone escarpments development will be set back from the face of the escarpment and the ecological integrity of the escarpment will be protected.
  - f.** Groundwater will be protected, particularly in vulnerable areas, and development will be directed away from sensitive surface or groundwater features.
  - g.** Development may be conditional on natural environment enhancements such as forest improvements, revegetation corridor linkages, distance separation, stewardship agreements, conservation easements, and monitoring.
- 7.** Setbacks and development standards for development will be set out in the zoning by-law.

Wetlands are unique habitat for many different species of plants and animals and also regulate flooding and water recharge areas.



### **10.8 Lake Capacity**

No development shall be permitted on the adjacent lands (see Section 10.5.6) of an at-capacity lake trout lake without meeting the criteria established in the Province's Lakeshore Capacity Assessment Handbook (see Planning Resource Kit for reference). Lake Temiskaming is classified as a Lake Trout Lake. Applications for development located within 300 lineal metres of the high water mark of the lake which utilize individual on-site sewage services may require a lake capacity assessment using the lakeshore capacity assessment handbook.

Proposals for lot creation adjacent to a designated Lake Trout Lake which is

at-capacity or proposals for more intensive use on existing lots adjacent to an at-capacity Lake Trout Lake will not be considered unless one of the following criteria are met:

- 1.** To separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage disposal system, provided that the land use would not change and there would be no net increase in phosphorous loading to the lake;
- 2.** Where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity;
- 3.** Where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such drainage from the tile fields would flow at least 300 metres to the lake;
- 4.** Where a site-specific soils investigation prepared by a qualified professional has been completed showing the following site conditions:
  - a.** The site where the septic tile-bed is to be located, and the region below and 15 metres down-gradient of this site,

toward the lakeshore or a permanently-flowing tributary, across the full width of the tile bed, consist of deep (more than three metres), native and undisturbed, non-calcareous (<1% CaCO<sub>3</sub> equivalent by weight) overburden with acid-extractable concentrations of iron and aluminum of >1% equivalent by weight (following Robertson 2005, 2006, Appendix B). Soil depth shall be assessed with test pits and/or bore holes at several sites. Samples for soils chemistry should be taken at a depth adjacent to, or below the proposed tile bed; and

- b.** An unsaturated zone of at least 1 ½ metres depth exists between the tile bed and the shallowest depth (maximum) extent of the water table. The position of the water table shall be assessed with test pits during the periods of maximum soils saturation (e.g., in the spring, following snowmelt, or late fall)

## **10.9 Natural Hazards**

**1.** Natural hazards include:

- a.** Hazardous lands adjacent to ravines, river valleys, streams and inland lakes which are impacted by flooding hazards (see Section 10.12 Flood Hazard) and or erosion hazards.
- b.** Hazardous sites such as unstable soils, and organic soils
- c.** Hazardous lands due to the presence of hazardous forest types for wildland fires.

**2.** Development shall be directed away from areas of natural hazards and hazardous sites.

**3.** Setbacks for buildings and structures from the top-of-bank and water courses which are subject to natural hazards will be established in the zoning by-law. Studies may be required to establish setbacks and measures to overcome hazards to development including:

- a.** Geotechnical (Wabi River, Mill Creek).

**b.** Floodproofing.

- c. Hazardous lands due to the presence of hazardous forest types for wildland fires.
- 4. Erosion is a natural process affected by water levels, wind, soil type, degree of slope, rainfall, storm events and vegetation. Erosion controls on Lake Temiskaming will be incorporated into measures to protect, reinstate or improve the littoral functions of the shoreline.
- 5. Slope stability measures will be undertaken, where required, to stabilize the Wabi River shoreline in New Liskeard and in other areas where development may be susceptible to an erosion hazard
- 6. An Environmental Impact Study may be required to assess the impacts of development on the natural environment (see Section 10.11).
- 7. 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 fires. Development may be permitted in

lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Ministry of Natural Resources and Forestry. Proponents may be required to undertake a site assessment to determine the presence of hazardous forest types for wildland fire, as may be indicated by generalized wildland fire hazard information. If development is proceeding where hazardous forest types are present, mitigation measures should be identified by proponents to outline how the risk will be lessened.

#### **10.10 Flood Hazard Constraint Area**

- 1. Development located in or adjacent to a flood hazard constraint area will be administered along the shoreline of Lake Temiskaming and on other river, stream and small inland lakes in the City.
- 2. For the purposes of this Plan, the flood elevation for Lake Temiskaming is 181.7 CGD.

- 3. Development within the flood hazard constraint area may be permitted provided the buildings and structures within the underlying land use designation are constructed to minimize damage in the event of flooding (e.g. flood proofing, ensuring building openings are above the flood elevation of 181.7 CGD, requiring that safe vehicular and pedestrian movement and access for maintenance and repair of protection works is available during times of flooding hazards).
- 4. Development will not be permitted that will create new hazards or adverse environmental impacts. The City will require such measures as a stormwater management plan, erosion and sediment controls and vegetative plantings to manage or mitigate development impacts.
- 5. Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

- a. An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
  - b. An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and
  - c. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
6. For all construction on properties that may be in an area defined as a flood hazard constraint area, the developer or proponent shall

be required to hire an Ontario Land Surveyor (O.L.S.) to provide a survey confirming the flood elevation of the site on the construction drawings.

- 7. The City may use one or more planning tools (see Section 15) to manage or prohibit development on or adjacent to any hazardous lands, hazardous sites or areas subject to a flooding or erosion hazard.

#### **10.11 Environmental Impact Study (EIS)**

- 1. Environmental Impact Studies, where required, will:
  - a. Evaluate the suitability of the site for the proposed development, including an inventory of the natural features and ecological functions present on the site.
  - b. Identify conditions for development and any potential mitigation measures and monitoring.
  - c. The City may require a peer review undertaken by a qualified professional of the

EIS at the cost of the proponent.

- d. The Natural Heritage Reference Manual, MNR, March 2010 listed in the Planning Resource Kit below shall be used to further scope the requirements for an Environmental Impact Study.
2. Pre-consultation with the City is required to establish the scope of the development proposal, identify the natural heritage and hazard issues to be addressed, detail the accepted methods of evaluating potential impacts, and specify the qualifications of personnel required to carry out these evaluations.

Community Initiatives for  
the Natural Environment:

Period: 2014-2020

- Conduct an inventory of natural heritage features
- Periodically update list of species at risk

Planning Resource Kit

Species at risk: <http://www.mnr.gov.on.ca/en/Business/Species/index.html>

*Endangered Species Act, 2007*: [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

Habitat protection: Natural Heritage Reference Manual, MNR, March 2010.

Fish Habitat: Decision Framework for the Determination and Authorization of Harmful Alteration, Disruption or Destruction of Fish Habitat, Department of Fisheries and Oceans, 1998

Shorelines and riparian areas: <http://www.livingbywater.ca/>

Natural Hazards: MNR, Understanding Natural Hazards, Queen's Printer, 2001: [www.mnr.gov.on.ca/publications](http://www.mnr.gov.on.ca/publications)

Lakeshore Capacity Assessment Handbook: Protecting Water Quality in Inland Lakes on Ontario's Precambrian Shield (May 2010)

## 11. AGRICULTURE

### 11.1 Introduction

A key principle of this Plan is to promote and protect the long-term future of agriculture. The core area of farming operations (i.e. prime agricultural lands) is located in Dymond where highly productive soils on the "Little Clay Belt" support a mix of livestock and cash cropping operations. Prime agricultural land accounts for 4,529 ha or 25.5% of the City's land base. Bio-engineering, in-situ crop and livestock research, and local post-secondary agricultural training are strong indicators of a successful farming industry. The policies of the Plan aim to protect the land base and to promote an integrated approach for productive farming, agricultural education and research and a strong agricultural community.

### 11.2 Definition

In the Agriculture designation the predominant use of land will be:

- a. Farming of all types;
- b. An agriculture-related industrial, commercial or research activity;

- c. Residential uses directly related to agriculture;
- d. Secondary uses;
- e. Natural features that enhance the area for agriculture and ecosystem health such as woodlots and wetlands;
- f. Sustainable agricultural practices that promote a healthy environment.

### 11.3 Goal Statement

To promote and protect the long-term future of agriculture through the protection of the land base, the support of sustainable farming practices and research, the support of the culture of the farming community and by maintaining strong environmental standards.



### 11.4 Objectives

The goal statement will be supported by the following objectives:

1. To protect prime agricultural land (class 2 and 3 soils) in Dymond for agriculture and specialty crop areas.
2. To protect locally significant agricultural land for agriculture.
3. To encourage farming activities in other rural areas of the City.
4. To support a diversity of farming types.
5. To encourage food production for local markets.
6. To support and encourage normal farm practices and sustainable farming operations.
7. To support and encourage research and education in agriculture.
8. To encourage succession planning and career opportunities in agriculture.
9. To promote agri-tourism and activities that strengthen the

culture and lifestyle of the agricultural community.

10. To encourage the retention and reestablishment of woodlots, wetlands and other natural areas recognizing their benefits for agriculture and the natural environment.

### 11.5 Farm Unit

1. In the prime agricultural area which is designated Agriculture on the Land Use Schedules, the predominant use of land will be for farming (agricultural uses) and the predominant type of development will be the 'farm unit'. The farm unit consists of the:
  - a. Land base;
  - b. Barns and other buildings that support the farm operation;
  - c. Farm dwelling; and dwellings required for additional labour;
  - d. Secondary uses; and
  - e. Agriculture-related uses.
2. Farm operations of varying types and sizes will be permitted. One residence may be built in conjunction with a farm whether

operated by a family or as a commercial scale operation. However, more than one residence on a lot for the purposes of housing farm help may be permitted in those instances where:

- a. The need for such housing has been adequately demonstrated;
- b. The farm help assists on the subject farm on a regular basis;
- c. The farm operation is of such a size and nature that farm labour is required and needs to be located close by the farm;
- d. Additional residential units shall be subject to a zoning by-law amendment.

### 11.6 Farming Practices

Normal farm practices as defined in the *Farming and Food Production and Protection Act*, as amended, will be recognized and protected (see Planning Resource Kit).

### 11.7 Lot Size

Lot sizes shall be adequate to support the long-term needs of agriculture and shall ensure that land parcels

remain flexible for agricultural uses. The minimum lot area will be specified in the zoning by-law.

### 11.8 Sustainable Agriculture

The City recognizes the importance of a healthy agricultural industry and supports the following initiatives:

1. The preparation and compliance with nutrient management plans.
2. The preparation and implementation of environmental farm plans.
3. The use of best management practices.
4. The protection, restoration and management of natural areas such as woodlots, wetlands, stream and river valleys.
5. On-farm energy production as a source for farming operations.
6. Secondary uses.

(See Planning Resource Kit)

### **11.9 Protection of Prime Agricultural Lands**

The prime agricultural area which is illustrated as Agriculture on the Land Use Schedules includes prime agricultural lands and other natural features and infrastructure. Non-agricultural development, other than those uses specifically permitted by this Plan, shall be directed to locate in Settlement Areas. Top soil stripping will not be permitted.

(See Planning Resource Kit)

### **11.10 Locally Significant Agriculture**

1. Lands shown as Locally Significant Agriculture will be subject to the policies of Sections 11.5 – 11.8, 11.11.1 (a), 11.12.1 – 11.12.4, 11.12.6, and 11.13 - 11.19 of this Plan.

### **11.11 Agricultural Commercial, Industrial and Research Uses**

1. A commercial or industrial use that processes agricultural products or services farms and agricultural research facilities and activities may be permitted in the Agriculture designation by zoning by-law amendment provided:

- a. The use relates to commercial scale agriculture and not to goods or services that are normally required by the general public; and
- b. The use is required to be in close proximity to the farm operation; and
- c. The use is small scale.
- d. The use is directly related to the farm operations in the area.

### **11.12 Secondary Uses**

On-farm businesses that are secondary to the farm and compatible with neighbouring uses are encouraged. Home-based businesses, value-added agricultural uses and small-scale home industries are permitted in the Agriculture designation provided they:

1. Are compatible with surrounding uses and do not hinder surrounding agricultural operations;
2. Are limited in scale;
3. Do not remove large amounts of land from production;

4. Do not cause traffic or public health and safety concerns and provide safe access to abutting roads;
5. Are related to or produce products from the farm operation, and
6. Comply with the zoning by-law.

### **11.13 Natural Environment**

Within the agricultural area natural features and ecosystem functions will be protected. Wise stewardship practices shall be used to protect and enhance the natural environment. Farm woodlots and other natural features will remain part of the farm holding. Existing agricultural uses will be permitted to continue in areas identified as natural heritage features and areas.

### **11.14 Minimum Distance Separation**

All farm operations and buildings, and all non-farm uses and structures permitted by the agricultural policies of this Plan shall comply with the Minimum Distance Separation (MDS) I and II formulae in effect at the time of development in order to minimize odour conflicts between livestock and manure facilities and development. The MDS will be incorporated into the zoning by-law.

(See Planning Resource Kit).

1. The MDS I shall not apply to the following:
  - a. An existing non-farm residential use which is destroyed by a catastrophic event provided that the replacement building is not built closer to the livestock facility than before the event.
  - b. The expansion of an existing residential dwelling.
  - c. Accessory structures to a residential dwelling (i.e. decks, garages, garden sheds, gazebos, outbuildings, patios, picnic areas or similar buildings and structures).
  - d. An existing vacant lot of record zoned to permit a residential use.
  - e. Where there are four or more existing non-farm uses closer to a livestock facility and in immediate proximity to a proposed new lot for a residential use provided the location of the proposed lot is

not located closer to the livestock facility than the four or more existing non-farm uses.

2. MDS II shall not apply to the following:
  - a. Any existing livestock facility which is destroyed by a catastrophic event provided the building is not built closer to the residential use than before the event and if the construction does not result in a higher value for odour, nutrient units or manure or material.
  - b. To the portions of a livestock facility where livestock are not normally present for a long enough time for substantial amounts of manure to accumulate (i.e. feed bins, feed preparation areas, field shade shelters, livestock assembly areas, livestock loading chutes, machinery sheds, milking centres, offices, riding arenas or washrooms

- c. For the purposes of applying MDS in this Plan, a cemetery shall be classified as a Type A land use where it is closed and receives low levels of visitation, otherwise a cemetery shall be classed as a Type B land use, and MDS I and II shall not apply to any development and/or expanding livestock facility in a Settlement Area.



### **11.15 Surplus Dwellings**

Where a dwelling is acquired through farm consolidation or enlargement and is surplus to the needs of the farm operation it may be severed provided:

1. The residence is in a habitable condition;
2. The separated parcel will not include any more Class 2 or 3

improved land than is required to support the residence and on-site services;

3. The land area of the severance should limit impacts on existing agricultural operations (i.e. tile drainage, access to farm fields).

### **11.16 Lots of Record**

A lot of record is a legally created separate property that existed on the date of adoption of this Plan. These lots shall be used for farming or for other uses permitted in the Agriculture designation, and may contain a farm dwelling subject to the policies defining a farm unit. There are a few lots of record in the Agriculture designation that are vacant and are smaller than the minimum lot area requirements of Section 11.19 of this Plan. These lots of record may be used for one dwelling by zoning by-law amendment provided:

1. Agriculture or other permitted uses are not feasible or practical on the lot;
2. The lot contains a limited amount of arable land (generally less than four hectares);

3. The proposed dwelling complies with the MDS formula I using Type B land use;
4. The site is suitable for residential construction;
5. The soil is suitable for an individual on-site sewage disposal service;
6. A potable water supply will be available; and
7. The lot abuts a fully maintained public road.

### **11.17 Mineral Aggregate Resources**

The establishment of new sand and gravel pits in the Agriculture designation requires an amendment to this Plan and the zoning by-law and is subject to the Mineral Aggregate Resources section of this Plan. The protection of prime agricultural land and the natural environment is a high priority.

### **11.18 Community Facilities and Infrastructure**

Facilities for social, recreational, educational (except agricultural-related research facilities),

administrative or other purposes such as government offices, community facilities and sports fields shall be located in Settlement Areas to avoid land use conflicts with agriculture and to enhance urban areas. Existing uses and their expansion will be permitted in the Agriculture designation.

Infrastructure uses deemed to be public uses will be permitted in the Agriculture designation including:

1. Facilities and corridors for utilities and communication facilities;
2. Roads, railways and trails; and
3. Flooding and erosion works.

### **11.19 Agricultural Community**

Activities and organizations which support the agricultural community will be encouraged and promoted including: agri-tourism, agricultural fairs, 4-H Clubs, other agricultural organizations, unique agricultural practices (e.g. corn mazes, ploughing matches, hay/sleigh rides), farm tours, farmer's markets and local farm product sales programs, roadside produce stands, farm vacation and bed and breakfast establishments. The above uses are

subject to the secondary use policies of Section 11.11 of this Plan.

### **11.20 Land Division**

In areas designated Agriculture on the Land Use Schedules, consents for conveyance may be granted in accordance with the following policies:

- 1.** All consents shall comply with the minimum lot size, MDS, surplus dwelling and agricultural commercial, industrial and research policy requirements of this section of the Plan.
  
- 2.** Where the land is being conveyed or retained for an agricultural use, a consent may be granted provided that the lot to be created and the lot to be retained are generally a minimum of 40 hectares respectively. Council will also consider whether the lands will be adequate in size and appropriate for the type of agricultural uses common in the area and that the lot is sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations and is appropriate for sewage and water services where required.

- 3.** Where the severance is for infrastructure, a consent may be granted where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

- 4.** Consents may be granted for the title correction and for minor lot boundary adjustments for an agricultural-related use.

## 12. MINERAL AGGREGATE RESOURCES

### 12.1 Introduction

Mineral aggregates are essential to the construction industry for road building and, the production of concrete products for building construction. Much of the source of mineral aggregates in the City is derived from the Farr Formation, a limestone formation and the source of asphalt and concrete aggregates, for roads, construction and other uses. Two key sources of aggregates in the City are the Bucke Quarry along the West Road and a belt parallel to Highway 11 towards the south end of Bucke Township. The City of Temiskaming Shores has not been designated under the *Aggregate Resources Act*, hence licensing of pit and quarry operations is not required on patented land. Aggregates are non-renewable natural resources that are expensive to transport. Consequently, the protection of a local supply of aggregates is important for meeting market needs and keeping costs down. The strategy

of the plan is to protect aggregates for long-term use while minimizing social conflict and environmental harm.

### 12.2 Definition

Areas of mineral aggregate resource extraction contain geological deposits or formations that yield principally sand, gravel or limestone in commercial quantities. Activities associated with extraction include crushing, screening, washing, stockpiling and asphalt and concrete plants.

### 12.3 Goal Statement

To identify and protect sand, gravel and limestone deposits of significant quality and quantity for long-term use in a manner that minimizes social and environmental impacts and land use conflicts with adjacent land uses.

### 12.4 Objectives

The goal statement will be supported by the following objectives:

1. To protect as much of the mineral aggregate resources as is realistically possible through a specific land use designation.

2. To minimize land use conflicts between resource uses and surrounding land uses.
3. To provide for the rehabilitation and sequential use of mineral aggregate resource lands for other land uses.
4. To provide for the protection of the natural environment and cultural heritage during extractive operations.



### 12.5 Designation

New mineral aggregate operations must be designated Mineral Aggregate Resources in this Plan and must be zoned to a mineral aggregate resources zone before extraction can occur.

## **12.6 Protection of Mineral Aggregate Resource Lands**

The Mineral Aggregate Resource area which is illustrated as Mineral Aggregate Resources on the Land Use Schedules includes existing pits and quarries and mineral aggregate resources intended to be protected by this Plan along with other natural features and infrastructure.

### **12.7 New Operations**

- 1.** The proponent shall pre-consult with the City and complete the necessary studies in support of an application for an official plan and zoning by-law amendment. The scope of studies may include:
  - a.** Land use compatibility
  - b.** Heritage Impact Assessment
  - c.** Archaeological Assessment
  - d.** Environmental Impact Study
  - e.** Noise and Vibration Study
  - f.** Blast Impact Study
  - g.** Traffic Impact
  - h.** Hydrogeological
  - i.** Drainage and Stormwater Management Study
  - j.** Haulage Routes
- 2.** On-site industrial uses will be subject to land use compatibility requirements.

(Reference shall be made to Ministry of the Environment Guidelines D1 and D-6 for technical studies associated with determining land use compatibility See Planning Resource Kit).

- 3.** In addition, the proponent will provide a detailed site plan that illustrates all on-site natural features, buildings, structures, storage of topsoil and overburden, mitigation features associated with land use compatibility, the sequence and direction of progressive rehabilitation and the details of final rehabilitation through the preparation of a comprehensive rehabilitation plan taking into consideration surrounding land use and approved land use designations. New operations include expansions of an existing operation where the lands are not designated or zoned for mineral aggregate resources.
- 4.** In areas adjacent to or in known deposits of mineral aggregate resources, development and activities which would preclude or hinder the establishment of new

operations or access to mineral aggregate resources shall only be permitted where a study is undertaken to justify that the mineral aggregate resource use would not be feasible, that the proposed development or land use serves a greater long-term public interest and that issues of public health, public safety and environmental impact are addressed.

- 5.** The City may enact a pits and quarries control by-law under the enabling authority of the *Municipal Act* and/or execute any agreements required including site plan control to govern the on-site and off-site operations of a mineral aggregate operation.



### **12.8 Incompatible Uses**

Established mineral aggregate operations and potential mineral aggregate resource areas will be protected by directing incompatible uses away from the resource. Agriculture and natural environment are compatible uses which may locate on or near mineral aggregate resources, not including buildings or structures.

### **12.9 Compatibility**

All mineral aggregate operations will minimize conflict and maximize compatibility with adjacent land uses through separation distances which are adequate to prevent adverse effects from occurring between sensitive uses and mineral aggregate operations. Reference shall be made to Ministry of the Environment Guidelines D1 and D-6 for technical studies associated with determining land use compatibility (see Section 4.14 and Resource Kit).

The protection of natural areas and existing development is a high priority. Mitigation measures may be required such as increased setbacks, berming, landscaping, road improvements and dust and noise

control. These measures may be implemented through such means as site plan control, site alteration by-laws and development agreements. (See Planning Resource Kit)

### **12.10 Rehabilitation**

Mineral aggregate resource sites on agricultural land must be progressively rehabilitated including lands used for agriculture. Land rehabilitated for agriculture may be used for agriculture or natural environment. Complete rehabilitation to agriculture is not required where a substantial quantity of aggregate lies below the water table or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible or other alternatives have been considered and found unsuitable. Rehabilitation shall include measures to mitigate negative impacts to the best extent possible. Mineral aggregate resource lands may be redesignated to another land use where the lands have been rehabilitated.

### **12.11 Wayside Operations**

Wayside pits and wayside quarries for public authority contracts will be permitted without an amendment to

this Plan or the zoning by-law except in areas of existing development, in the Settlement Areas or areas of particular environmental sensitivity which have been determined to be incompatible with mineral aggregate extraction and associated activities. An archaeological assessment or a heritage impact assessment may be required to comply with Sections 14.9 through 14.11 of this Plan where deemed to be required.

### **12.12 Portable Asphalt and Portable Concrete Plants**

Portable asphalt and portable concrete plants are a permitted use in the Mineral Aggregate Resources designation, and will be permitted without an amendment to this Plan or the zoning by-law except in areas of existing development, in the Settlement Areas or areas of particular environmental sensitivity which have been determined to be incompatible with their operation.

### **12.13 Hazards**

Any development permitted on or adjacent to an existing or former mineral aggregate operation shall be required to identify and mitigate any known potential hazard.

#### **12.14 Protection of Natural Areas and Groundwater**

Mineral aggregate operations will be developed in a manner that protects natural areas and groundwater. The proponent will conduct studies to identify potential negative effects on natural features and ecological functions resulting from mineral aggregate extraction. Hydrogeological studies will be required to address adverse effects on the quality and/or quantity of groundwater where mineral aggregate extraction is proposed near or below the water table, or on or near a ground water feature such as a recharge area.

(See Planning Resource Kit)

#### **12.15 Zoning**

The zoning by-law shall set out the requirements for mineral aggregate resource uses and may distinguish pit and quarry operations.

#### **12.16 Land Division**

In areas designated Mineral Aggregate Resources on the Land Use Schedules, consents for conveyance may be granted in accordance with the following policies:

- 1.** All consents must conform to the general requirements for land division of Section 4 of this Plan.

- 2.** Consents may be granted for mineral aggregate operations subject to general conformity with the agriculture policies for the remaining parcel.

- 3.** Consents may be granted for title correction and for minor lot adjustments.

## Planning Resource Kit

Land Use Compatibility: Ministry of the Environment, Guideline D-1, Land Use Compatibility and Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Land

Noise and Vibration: Ministry of the Environment, Noise Assessment Criteria in Land Use Planning, LU-131 (October 1997), [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Noise

Drainage and Stormwater Management: Stormwater management Planning and Design Manual, 2003, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Water & Sewage Works

Site Alteration By-law: *Municipal Act*, Section 142(2) [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

Cultural Heritage: see Cultural Heritage in this Plan

Environmental Impact Study: See Natural Environment in this Plan

Site Plan Control: *Planning Act*, Section 41. See Site Plan Control in this Plan [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

Regulation of Pits and Quarries: *Municipal Act*, Section 124 [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

Definitions: Provincial Policy Statement (2014) – mineral aggregate operations, wayside pits and quarries, portable asphalt plant, portable concrete plant

## 13. MINING

### 13.1 Introduction

Mining was the genesis for development of many communities in Northern Ontario. The Cobalt camp evolved shortly after the discovery of silver in 1903 and there has been a more or less continuous exploration interest in the mineral potential in the Cobalt and Timiskaming area ever since. Within the City of Temiskaming Shores, there are more than two known past producing mines. The primary targets for exploration have traditionally been silver, nickel and cobalt. However, recent exploration efforts have focused on the potential for diamonds following the 1983 discovery of a diamondiferous kimberlite pipe in Bucke Township. In 2007, all of the available Crown Land in the City of Temiskaming Shores was staked. Commodities of interest include diamonds, silver, nickel and cobalt.

The Ministry of Northern Development and Mines have determined that the whole of the City of Temiskaming Shores is considered to have provincially significant

mineral potential. The Ministry has indicated that there is excellent potential for the discovery of commercial diamond deposits as well as nickel, copper, cobalt and PGE deposits (i.e. platinum group of which the associated mineral commodities include platinum, palladium, rhodium and other rare earth elements).

### 13.2 Definition

Areas of mineral potential contain mineral deposits that may have sufficient quantity and quality to warrant present or future mining. Activities associated with mining include five stages; 1) exploration; 2) advanced exploration; 3) development; 4) operations; and 5) closure. The operations stage includes activities such as soil and overburden removal; blasting; mineral extraction (processing); tailings disposal and management; monitoring of air, wastewater and solid waste materials; construction of or modifications to existing infrastructure.

### 13.3 Goal Statement

To identify and protect areas of mineral potential for long-term use in a manner that minimizes social and

environmental impacts and land use conflicts with adjacent land uses.



### 13.4 Objectives

The goal statement will be supported by the following objectives:

1. To protect areas of mineral potential through a constraint overlay.
2. To minimize land use conflicts between resource uses and surrounding land uses.
3. To provide for the rehabilitation and sequential use of mineral mining operations for other land uses and agriculture.
4. To provide for the protection of the natural environment and

cultural heritage during mineral mining operations.

### 13.5 Land Use Constraint

Mining operations must be designated Mining on the Land Use Schedules to this Plan and must be zoned to a Mining zone before mining can occur. This Plan is not deemed to prevent exploration activities where they are in compliance with the *Mining Act*. Advanced exploration may require amendments to this Plan and the zoning by-law subject to the activity.

### 13.6 Protection of Mining Resource Lands

Although not shown on the Land Use Schedules, the entire geographic area of the City is considered to be an area having Mineral Potential by the Ministry of Northern Development and Mines; consequently, the policies of this section of the Plan apply.

### 13.7 New Operations

1. The proponent shall pre-consult with the City and complete the necessary studies in support of an application for an official plan and zoning by-law amendment. The proponent shall provide

information on compliance with the requirements of the *Mining Act*, the *Environmental Protection Act* and other related approvals as a prerequisite to determining the needs for other land use related studies. The scope of studies may include:

- a. Land use compatibility
  - b. Heritage Impact Assessment
  - c. Archaeological Assessment
  - d. Environmental Impact Study
  - e. Noise and Vibration
  - f. Blast Impact Study
  - g. Traffic Impact
  - h. Hydrogeological
  - i. Drainage and Stormwater Management
  - j. Haulage Routes
2. On-site industrial uses related to mineral mining operations will be subject to land use compatibility requirements.  
(Reference shall be made to Ministry of the Environment Guidelines D1 and D-6 for technical studies associated with determining land use compatibility See Planning Resource Kit)
3. In addition, the proponent will provide the details of final

rehabilitation with the aim of accommodating subsequent land uses after mining and other related activities have ceased. Progressive rehabilitation will be undertaken wherever feasible. New operations include expansions of an existing operation where the lands are not designated or zoned for Mining.

4. Development and activities which would preclude or hinder the establishment of new operations or access to areas of mineral potential shall only be permitted where a study is undertaken to justify that mining would not be feasible, that the proposed development or land use serves a greater long-term public interest and that issues of public health, public safety and environmental impact are addressed.

### 13.8 Incompatible Uses

Potential mining operations will be protected by directing incompatible uses away from the resource. Agriculture and natural environment are compatible uses which may locate on or near extractive resources, not including buildings or structures.

### **13.9 Compatibility**

All mining operations will minimize conflict and maximize compatibility with adjacent land uses through separation distances which are adequate to prevent adverse effects from occurring between sensitive uses and mineral mining operations. The protection of natural areas and existing development is a high priority. Mitigation measures may be required such as increased setbacks, berming, landscaping, road improvements and dust and noise control. These measures may be implemented through such means as site plan control, and site alteration by-laws where not otherwise governed by the *Mining Act*.

(Reference shall be made to Ministry of the Environment Guidelines D1 and D-6 for technical studies associated with determining land use compatibility See Section 4.14 and Planning Resource Kit)

### **13.10 Rehabilitation**

Mining operations will be permitted provided that the lands are rehabilitated. Mining lands may be redesignated to another land use where the lands have been

rehabilitated through fulfillment of a closure plan.

### **13.11 Protection of Natural Areas and Groundwater**

Mining operations will be developed in a manner that protects natural areas and groundwater. The proponent will conduct studies to identify potential negative effects on natural features and ecological functions resulting from mining. Hydrogeological studies will be required to address adverse effects on the quality and/or quantity of groundwater where mining is proposed.

(See Planning Resource Kit)

### **13.12 Zoning**

The zoning by-law will set out the requirements for Mining uses.

### **13.13 Land Division**

In areas designated Mining on the Land Use Schedules, consents for conveyance may be granted in accordance with the following policies:

- 1.** All consents must conform to the general requirements for land division of Section 4 of this Plan.
- 2.** Consents may be granted for mining operations subject to general conformity with the

agriculture policies for the remaining parcel.

- 3.** Consents may be granted for title correction and for minor lot adjustments.

### **13.14 Mine Hazards**

Mine hazards shall be rehabilitated under the requirements of the *Mining Act* and Section 15.19 of this Plan.

## Planning Resource Kit

Land Use Compatibility: Ministry of the Environment, Guideline D-1, Land Use Compatibility and Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Land

Noise and Vibration: Ministry of the Environment, Noise Assessment Criteria in Land Use Planning, LU-131 (October 1997), [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Noise

Drainage and Stormwater Management: Stormwater management Planning and Design Manual, 2003, [www.ene.gov.on.ca/publications](http://www.ene.gov.on.ca/publications) Forms, Manuals and Guidelines/Water & Sewage Works

*Mining Act and Environmental Assessment Act*: [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca) : Requirements of the *Mining Act* for the exploration and development of mines: [http://www.mndm.gov.on.ca/mndm/mines/mg/advex/default\\_e.asp](http://www.mndm.gov.on.ca/mndm/mines/mg/advex/default_e.asp)

Cultural Heritage: see Cultural Heritage in this Plan

Environmental Impact Study: See Natural Environment in this Plan

Site Plan Control: *Planning Act*, Section 41. See Site Plan Control in this Plan [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

Definitions: Provincial Policy Statement (2014) – mineral mining operations, areas of mineral potential, minerals, mineral deposits, mine hazard

## 14. CULTURAL HERITAGE

### 14.1 Introduction

The landscape of Temiskaming Shores has been influenced by human activity over the last century but the Temiskaming area experienced human activities as long ago as 11,000 years prior to European settlement. Places, artefacts, burial grounds, buildings and other structures remain to remind us of the people who once inhabited the area and how they lived. In Temiskaming Shores, a heritage site may take the form of an archaeological site, historic buildings and structures, burial sites and cemeteries, sacred sites, heritage laneways and significant cultural landscapes. Such resources should be recognized for the important contribution they make to our understanding of the history of a place, an event or a people. Some of these resources have been celebrated in the City's two museums (the Little Clay Belt Museum, and the Haileybury Heritage Museum). Other resources have been catalogued in the Ministry of Culture's provincial data base (3 archaeological sites in

Temiskaming Shores) while The New Liskeard Carnegie Library on Whitewood Avenue, constructed of local limestone, has been protected under the *Ontario Heritage Act* since the building was designated in 1983.



The intent of the policies of this Plan is to conserve and protect the cultural heritage of the City.

### 14.2 Definition

Cultural heritage resources include significant built heritage resources, significant cultural heritage landscapes, significant archaeological resources and marine archaeological resources or sites.

### 14.3 Goal Statement

To manage the City's cultural heritage through policies and processes that serve to identify, recognize, document, protect, rescue and conserve these resources.

### 14.4 Objectives

The goal statement will be supported by the following objectives:

1. To integrate the protection and conservation of cultural heritage within development decisions which may affect those resources.
2. To incorporate cultural heritage conservation as a sustaining element of the City's identity and economic health.
3. To consult with the community and First Nations in decisions of cultural heritage protection and conservation.

### 14.5 Heritage

Heritage resources and archaeological sites will be identified and protected through the development review process under the *Ontario Heritage Act*. The City will celebrate heritage as part of strategies and plans for tourism and local celebrations. Examples include the Haileybury Fire, the homes of Leslie MacFarlane, the New Liskeard Library, etc. The City will also participate in the celebration of heritage and heritage events with

adjacent municipalities such as Cobalt's mining legacy.

In accordance with Section 27 of the *Ontario Heritage Act*, The City Clerk will maintain an inventory of cultural heritage resources designated under Part 4 and Part 5 of the *Ontario Heritage Act* through the establishment of a Municipal Register of all property designated under the *Act*. The Register may include properties considered by Council to be of cultural heritage value or interest.

#### **14.6 Municipal Heritage Advisory Committee**

Council will vest the Municipal Heritage Advisory Committee with responsibility for developing criteria for the potential identification and designation of significant built heritage resources, significant cultural landscapes (see Planning Resource Kit, O. Reg. 9/06) and the establishment of one or more heritage conservation districts under the *Ontario Heritage Act*. The Committee will establish management policies for the long-term protection and conservation of heritage resources, particularly any

Provincial Criteria for determining archaeological potential:

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

**Note:** the shorelines of Lake Temiskaming, Wabi River, South Wabi Creek, Mill Creek, and Dickson Creek are considered to have high archaeological potential.

heritage attributes that have been identified during the creation of a heritage resource inventory. This may include the preparation of a heritage master plan and an archaeological management plan. The City will consult with the aboriginal community in the preparation of heritage plans.

#### **14.7 Designation**

The City may designate identified cultural heritage sites under the *Ontario Heritage Act*. Current protected heritage properties and the New Liskeard Carnegie Library will be recognized as designated.

#### **14.8 Human Remains**

The Ministry of Culture, the Ministry of Consumer Services – Cemeteries Regulation Unit, the OPP and First Nations will be contacted where human remains or an unmarked burial site or cemetery is discovered.

#### **14.9 Archaeological Resources**

Archaeological resources will be conserved by preservation *in-situ* wherever possible and where preserved on site the integrity of the site will be maintained where development or site alteration is permitted. Where approved and the resources are removed, appropriate

documentation shall be required. An archaeological assessment undertaken by a licensed archaeologist will be required for development or site alteration in areas of archaeological potential based on provincial criteria and when a known or suspected cemetery or burial site is affected by development. An archaeological assessment may be required in accordance with the provincial criteria for determining archaeological potential illustrated in the text box opposite. Where a development or change of use proposal is determined to have a potential impact on a known cultural or archaeological resource, it must be demonstrated that the impact will be mitigated.

#### **14.10 Marine Archaeological Resources**

The City may require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of

cultural heritage value are identified and impacted by shoreline and waterfront developments.

#### **14.11 Protected Heritage Property**

Development and site alteration may be permitted on adjacent lands to a protected heritage property where a heritage impact assessment prepared by a qualified professional has evaluated the impacts and demonstrates that the heritage attributes of the protected heritage property will be protected.

#### **14.12 Implementation Tools**

Measures to implement the cultural heritage policies of this Plan include:

- 1.** Establishing a heritage zone category in the implementing zoning by-law pursuant to Section 34 (1) 3.3 of the *Planning Act*.
- 2.** Designating built heritage resources and cultural heritage landscapes under the applicable components of Part 4 and Part 5 of the *Ontario Heritage Act*.
- 3.** Creating one or more heritage conservation districts based on the following criteria:

- a.** Any collection or grouping of buildings, properties, streets or open spaces that as a result of their location, landscape setting, historic use, archaeological resources, or architecture are collectively significant to the community and/or are of cultural heritage value. Such buildings may or may not be designated under Part 4 of the *Ontario Heritage Act*;
- b.** An area with a special character with an integrity of its own that distinguishes the area from other areas of the community and represents a certain aspect of, or era in the development of the City which is worthy of being maintained and protected such as a town centre, waterfront or lakeshore area or original residential area or neighbourhood;
- c.** A defined boundary identifying a portion of the City within which all properties are protected from inappropriate changes impacting their

recognized cultural, historic or architectural values through the use of policies, by-laws and design guidelines.

- d. An area that has been identified or defined for its heritage attributes by the Municipal Heritage Advisory Committee;
  - e. An area that depicts one or more features, events or aspects of the history of Temiskaming Shores i.e. settlement within the Little Clay Belt, the Great Fire of 1922, development of the forest and mining industries, the fur trade, and settlement by the First Nations etc.
4. Applying site plan control.
  5. Incorporating heritage conservation through the preparation of a community improvement plan (per Section 28 of the Planning Act).
  6. Partnering with organizations and senior levels of government in identifying, protecting and conserving heritage resources.

Examples could include grants or loans for repairs or restoration of heritage properties.

7. Supporting the reduction of waste construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive re-use of older and existing building stock.
8. Approving energy retrofits of heritage buildings without compromising the heritage integrity of the building.
9. Ensuring that public works projects and other municipal initiatives comply with the cultural heritage policies of this Plan as a condition of approval.

#### **14.13 Municipal Cultural Plan**

The City recognizes the contributions that cultural industries make to the culture, lifestyles and economic well-being of the City.

##### **1. Vision of the Municipal Cultural Plan**

Temiskaming Shores: A northern hub of cultural excellence and diversity in a pristine natural setting.

Temiskaming Shores is a thriving community that values culture as

a pillar of its economic and social well-being. Our culture is fundamental to our shared identity, which is grounded in the rich histories, traditions, and languages of our multicultural community. Temiskaming Shores is recognized for the beauty of its natural setting, and our residents are known for their inclusiveness, generosity, and hospitality. We celebrate and support local artists, cultural organizations, and creative entrepreneurs; all of whom work collaboratively to strengthen and promote Temiskaming Shores as a cultural hub within northern Ontario. Our culture is our pride, and is essential to our current and future prosperity.

##### **2. Strategic Actions**

The City will initiate strategic directions to implement the municipal cultural plan including:

- a. Recognize the value of culture in supporting a high quality of life;
- b. Increase the cultural profile of Temiskaming Shores;
- c. Leverage culture to promote economic development;

- d. Embrace cultural and linguistic diversity;
- e. Support collaboration within the cultural sector;
- f. To build an inclusive community that recognizes the diversity of the cultural, ethnic and social makeup and respects the values embedded in Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.

The municipal cultural plan will be used as a tool in guiding the actions and programs that will implement the strategic directions set out in the cultural plan.

#### 14.14 Other Facilities

The intent of the Plan is to recognize the importance of other cultural facilities such as museums for preserving and maintaining the continued understanding of local history.

#### Community Heritage Initiatives

Period: 2014-2020

- Complete cultural heritage resources inventory
- Determine need to create heritage conservation district for Haileybury
- Designate selected sites
- Prepare archaeological management plan

Period 2014-2018

- Prepare heritage master plan

#### Planning Resource Kit

Heritage protection and conservation: [www.culture.gov.on.ca/english/heritage/index.html](http://www.culture.gov.on.ca/english/heritage/index.html)

Ontario Heritage Resource Tool Kit: [www.culture.gov.on.ca/english/heritage/Toolkit/toolkit.htm](http://www.culture.gov.on.ca/english/heritage/Toolkit/toolkit.htm),

Historic Plaques: <http://www.historicplaces.ca>, <http://www.ontarioplaques.com>.

Ontario Heritage Act and Ontario Regulation 9/06; Criteria for Determining Cultural Heritage Value or Interest

Definitions: Provincial Policy Statement (2014): adjacent lands, archaeological resources, areas of archaeological potential, built heritage resources, cultural heritage landscape, development, heritage attributes, significant, site alteration

## **15. PLANNING TOOL KIT**

### **15.1 Introduction**

This Section of the Plan describes those tools and procedures that Council and approval authorities may use to implement this Plan.

### **15.2 Planning Applications**

Types of planning applications that may be filed with the City include: [Section of the *Planning Act* shown in parenthesis)

- Official Plan Amendment (22)
- Zoning By-law Amendment (34)
- Holding By-law/removal of Holding symbol (36)
- Temporary Use By-law (39)
- Site Plan Control (41)
- Minor Variance/Permission of extension/expansion, change of non-conforming use (45)
- Consent (53)
- Plan of Subdivision (51)

Prior to filing an application, applicants will be required to meet with the City to ascertain the requirements for the submission of applications (e.g. required studies

and information, fees, peer review, agency and public consultation etc.)

Studies or information which may be required in support of an application will depend on the type of application and the circumstances. Studies or information may include, but is not limited to (Sections of the official plan shown in brackets):

- 1.** A source water protection study including surface and groundwater impacts (Section 5.8 Well Head and Intake Protection Zones);
- 2.** A geotechnical study for unstable slopes (Section 10.9 Use of Natural Environment Lots);
- 3.** Drainage/Stormwater Report (Sections 4.4 Land Use Designation, 5.4 Water, Wastewater, Stormwater, 12.7 and 13.7 New Operations);
- 4.** Archaeological Assessment (Sections 12.7 and 13.7 New Operations, 12.11 Wayside Operations 14.9 Archaeological Resources);
- 5.** Heritage Impact Assessment (Sections 12.7 and 13.7 New Operations, 12.11 Wayside Operations 14.11 Protected Heritage Property);

- 6.** Noise and/or Vibration Study (Sections 4.6 Employment Areas, 4.9 Urban Design Principles, 5.6 Transportation, 12.7 and 13.7 New Operations);
- 7.** Blast Impact Study (Section 12.7 and 13.7);
- 8.** Traffic Study (Sections 4.6 Employment Areas, 4.7.6 Boat House Facility, 4.9 Urban Design Principles, 5.6 Transportation, 7.10 Golf Courses, 7.11 Integrated Recreation and Housing Development, 12.7 and 13.7 New Operations);
- 9.** Air Quality (Section 4.6 Employment Areas);
- 10.** Land use Compatibility (Sections 4.10 Rural Area, 12.7 and 13.7 New Operations);
- 11.** Environmental Impact Study (Sections 10.5 Natural Heritage Features, 10.9 Natural Hazards, 12.7 and 13.7 New Operations);
- 12.** Municipal Servicing capacity report (water, sewer) (Sections 4.4 Land Use Designation, 5.4 Water, Wastewater, Stormwater);
- 13.** Septage Haulage Report (Section 4.10 Rural Area);

**14.**Market Study (Sections 4.6 Employment Areas, 4.8 Town centres);

**15.**Minimum Distance Separation (Sections 4.10 Rural Area, 11.14 Minimum Distance Separation);

**16.**Mine Hazard Rehabilitation (Section 15.19);

**17.**Lakeshore Capacity Assessment Study (Section 10.8);

**18.**Planning Justification Report.

Applicants shall bear the cost of any study and any required peer review.

### **15.3 Building Code Act**

All construction shall comply with the relevant provisions of the *Building Code Act*. Despite the provisions of Section 8 of the *Act*, sewage disposal systems shall be set back from the shoreline of a lake or water body the required distance set out in the zoning by-law.

### **15.4 Property Standards**

The City may enact and enforce a property standards by-law to ensure a high standard of development, maintenance, improvement and

occupancy of residential and non-residential properties in the City.

### **15.5 Development Charges Act**

This Official Plan is to be considered as a statement of intent of Council to carry out or authorize to be carried out, various public works which may be subject to a development charge.

### **15.6 Amendments to the Official Plan (Sections 17 and 22, Planning Act)**

Amendments to this Plan may be initiated by application or by Council in compliance with the requirements of the *Planning Act* for changes to the substance of the policies of the Plan or for a change in a land use designation. (See also Section 2 Interpretation.)

### **15.7 Public Works (Section 24, Planning Act)**

Public works may only be undertaken where they comply with this Plan. Public works which do not comply shall be governed by Section 24 of the *Planning Act*.

### **15.8 Acquisition of Land (Section 25, Planning Act)**

Council may acquire land for any purpose set out in this Plan and may

lease or otherwise dispose of such lands where no longer required.

### **15.9 Community Improvement (Section 28, Planning Act)**

The entire City of Temiskaming Shores shall be considered a community improvement area.

Council may designate by by-law the whole or any part of the City as a community improvement project area for the purposes of undertaking community improvement (e.g. repair, replacement, upgrading infrastructure and public service facilities, improving town centres and waterfront areas, repairing, retrofitting, rehabilitating, and constructing buildings, facilitating the delivery of affordable housing, rehabilitating brownfield sites, improving or rehabilitating built heritage resources). Community improvement will provide measures for barrier-free design and for improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society.

Council may provide financial incentives under the *Planning Act* to encourage and facilitate community

improvement (e.g. loans, grants) and the redevelopment of brownfields.

Council may acquire, lease or dispose of land for community improvement purposes.

#### **15.10 Zoning By-law (Section 34, Planning Act)**

Council will pass a zoning by-law to establish zone standards to regulate the use of land, buildings and structures throughout the City.

#### **15.11 Holding By-law (Section 36, Planning Act)**

A holding symbol may be used in the zoning by-law in connection with any land use zone, in accordance with Section 36 of the *Planning Act*. The zoning by-law will allow existing uses to continue in areas covered by the holding symbol and will specify the uses to be permitted, where the principle of development or land use has been established, at such time as the holding symbol is removed by amendment to the by-law. A holding zone may be used to defer development until specified conditions have been met (e.g. to provide adequate infrastructure and public service facilities, to remediate or rehabilitate contaminated or

hazardous sites, to limit the use of land in order to achieve the phasing or timing of development, to complete required studies, to ensure that conditions of development or other agreements have been met and to secure financial requirements).

#### **15.12 Height and Density Bonusing**

The City may authorize buildings to exceed the height and density of development otherwise permitted in the zoning by-law in exchange for community benefits such as increased parkland dedication, improvements to recreational and leisure facilities, provision of affordable housing, improvements to the transit system, additional off-street parking, improvements to streetscaping, or measures for community improvement.

#### **15.13 Interim Control By-laws (Section 38, Planning Act)**

Where Council determines that the policies of this Plan do not provide adequate direction for potential development, an interim control by-law may be passed in accordance with Section 38 of the *Planning Act*, provided that a resolution setting out

the terms of reference for a study or review has been previously adopted.

#### **15.14 Temporary Use By-laws (Section 39, Planning Act)**

An amendment to the zoning by-law may be passed permitting a temporary use of land or buildings that is otherwise prohibited by the zoning by-law, in accordance with Section 39 of the *Planning Act*. A temporary use by-law shall be deemed to conform to this Plan, and an amendment to this Plan is not required for a temporary use.

#### **15.15 Site Plan Control (Section 41, Planning Act)**

For the purposes of Section 41 of the *Planning Act*, the entire City of Temiskaming Shores as illustrated on Schedules A, B, C and D, Land Use Schedules, is designated as a site plan control area. Site plan control may be used and agreements entered into for the construction and/or maintenance of all of the matters set out in Section 41(7) of the *Planning Act* for land uses including:

1. Any industrial, commercial or institutional use and including campgrounds and golf courses;

2. Residential intensification projects;
3. Facilities designed and intended to have regard for persons with disabilities;
4. Resource uses including mineral aggregate operations and mineral mining operations;
5. Heritage conservation projects;
6. Any lands abutting a lake, water body or natural environment area;
7. Any residential use.

Council may secure the dedication of land for a road widening or intersection improvement provided that the conveyance requested does not exceed one-half of the deficiency of the width. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.

Council will consider barrier-free design in site plan control agreements.

**15.16 Parkland Dedication  
(Section 42, Planning Act)**

As a condition of development or redevelopment, Council may, subject to passing a by-law, require the conveyance of 2 per cent of the land proposed for commercial or industrial development or 5 per cent for residential development or the cash-in-lieu equivalent and the conveyance shall be for park or other public recreational purposes.

**15.17 Non-Conforming Uses  
(Sections 44 and 45, Planning Act)**

A non-conforming use is a use of land that lawfully existed on the date of adoption of any zoning by-law passed under the *Planning Act*; has continued uninterrupted (or where interrupted, there has been a reasonable attempt to continue the use during the period of discontinuance) and does not conform with the uses permitted in the zone(s) which apply to the subject lands. A non-conforming use may be extended, enlarged or changed to a similar or more compatible use under Section 34(10) or 45(2) of the *Planning Act*, provided that:

1. It is not reasonable or feasible to cease or relocate the use;
2. Any incompatibility with surrounding land uses are not aggravated;
3. Surrounding uses are protected by appropriate buffers, setbacks and other measures to improve the compatibility of the use;
4. Adequate infrastructure, access and parking are provided;
5. Natural and human-made hazards are addressed, and
6. Development details may be regulated by a development agreement.

Nothing in this Plan shall prevent the reconstruction of a legal non-conforming use which is inadvertently destroyed by a natural cause (e.g. fire, flood, earthquake, subsidence), provided the building is reconstructed on the same building footprint. Council will, however, encourage buildings to be relocated outside of a flood hazard constraint area.

**15.18 Land Division, Part-Lot Control and Deeming (Sections 50-53, Planning Act)**

The creation of all new lots by plan of subdivision (see also Sections 4.5.6, 4.10.3 (b) and 4.11) or consent shall comply with the following general requirements and the specific requirements of the applicable land use designation:

1. Development shall conform to the land use policies for the land use designations shown on the Land Use Schedules.
2. Development shall comply with the provisions of the zoning by-law. Where a zoning by-law amendment is required, such amendment shall be in force before the consent/subdivision receives final approval.
3. Lots must have frontage on and direct access to a year-round maintained public road and where applicable to a provincial highway (per Section 5.6 of this Plan).
4. Development shall not result in traffic hazards from limited site

lines on curves, grades or near intersections.

5. Adequate infrastructure shall be available (per Section 5 of this Plan).
6. Adequate public service facilities shall be available to service the development.
7. All studies and other information required by the City to determine compliance with this Plan shall be provided in support of the application.
8. Development will not be permitted which compromises the opportunity to develop adjacent lands nor will land lock access.
9. Development will not be permitted on an inland lake where the lake has reached its capacity as determined in consultation with the Lakeshore Capacity Assessment Handbook and no residual capacity exists for that water body unless in accordance with Section 10.8.

10. Subdivision development will take into consideration barrier-free design.

Part-lot control may be used for existing plans of subdivision where it is necessary to re-align lot boundaries, to clarify or grant title, to provide a service easement, or widen a road.

A deeming by-law may be passed by Council under Section 50(4) of the *Planning Act* for a plan of subdivision or part thereof that has been registered for eight years or more and where Council deems it appropriate to apply subdivision control to the lands under Section 50(3) of the *Planning Act*.

**15.19 Mine Hazard**

Lands identified as having a mine hazard on the Land Use Schedules shall be rehabilitated in compliance with the *Rehabilitation Code* regulation under the *Mining Act* prior to any development or redevelopment. A mine hazard rehabilitation report shall be submitted to the City as a condition of development or redevelopment. Lands within 1 km [0.6 miles] of a mine hazard shall be evaluated for

their safety for construction (development) and if necessary, a mine hazard rehabilitation report shall be prepared. The City will consult with the Ministry of Northern Development and Mines regarding the nature of the mine hazard and any rehabilitation or remediation measures that may be required under the *Mining Act*.

### **15.20 Contaminated Lands**

1. Lands identified as contaminated or potentially contaminated shall be evaluated and where required, (i.e. particularly a change in land use to a sensitive land use) shall be remediated in compliance with *O.Reg. 153/04* and Ministry of the Environment Guideline "Records of Site Condition – A Guide on Site Assessment, the Clean-Up of Brownfield Sites", such that the site is suitable for the intended future use.
2. Mandatory filing of a Record of Site Condition on the Registry is required for any change to a more sensitive land use such as a change of use from industrial to residential or parkland. The applicant shall provide the City

with a Ministry of the Environment acknowledged Record of Site Condition (RSC) and an affidavit from a qualified professional acknowledging that the City may rely on the statement in the RSC prior to the granting of any development approvals by the City or approval authority.

3. Where a gasoline station site is being redeveloped to a more sensitive land use, the City will require a clearance letter from the Technical Standards and Safety Authority (TSSA).

### **15.21 Accessory Uses**

Accessory uses to any permitted main use shall be permitted subject to meeting the relevant policies of the land use designation in which they are proposed.

### **15.22 Lots of Record**

Lots of record are legally created parcels or tracts of land that can legally be conveyed. For the purposes of this Plan, lots of record are deemed to include lots or blocks on a registered plan of subdivision and parcels created by consent. Lots of record which are vacant and which existed on the date of adoption of this

Plan may be used for building purposes provided that the lot fronts on a public road, the lot complies with the policies of the underlying land use designation, the lot complies with the zoning by-law and the lot is or can be adequately serviced. Development may be prohibited or restricted on lots which are significantly undersized for the proposed use.

### Community Initiatives for Planning Tool Kit:

Period 2013-2020:

- Review Planning Application Fees