

# Municipality of Callander

## Official Plan



Adopted by Council March 16, 2010  
Approved By Ministry of Municipal Affairs on June 17, 2011  
Consolidated Version including Ministry of Modifications August 25, 2011

## **Notice to Readers of this Plan**

This copy of the Municipality of Callander Official Plan is a consolidation of the Official Plan as:

- Adopted by Council March 16<sup>th</sup>, 2010
- Approved by Ministry of Municipal Affairs with Modifications on August 25<sup>th</sup>, 2011
- Amended by By-Law 2015-1466 (OPA 01-2015)
- Amended by By-Law 2019-1620 (OPA 01-2019)
- Amended by By-law 2021-1718 (OPA 01-2021)
- Amended by By-law 2023-1830 (OPA 01-2023)
- Amended by By-Law 2023-1837 (OPA 02-2023) (Housekeeping Amendment)

For accurate reference, please consult the official versions of the above-referenced documents, which are available from the Municipality of Callander Clerks Department. Includes all amendments in effect up to June 2023.

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**Schedules A: Land Use Plan**

**Schedule A1: Land Use Plan - Callander Settlement Area**

**Schedule A2: Development Staging - Callander Settlement Area**

**Schedule B: Environmental Protection Areas**

-Technical Memorandum-Sewage Capacity Municipality of Callander

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## 1.0 INTRODUCTION

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### 1.1 INTENT OF THE PLAN

The basic intent of this Official Plan is to guide future development to areas where it is most suited and to protect the environment of the Municipality in order to preserve, protect and enhance the character and economy of the Municipality.

The Official Plan is intended to form the foundation for decision- makers, including Council and government agencies. This Official Plan is also intended to provide members of the public with a sense of assurance as to the future development of their lands and the lands around them. The policies of this Official Plan are intended to clearly describe development policies and the plans of the Municipality and to delineate a future development plan for the Municipality. In addition, this Plan will guide public works and other capital investments of the Municipality.

This Official Plan is intended to manage land use change in a manner that has the greatest positive impact on the Municipality while ensuring the sustainability of the environment and the character of the community. This Official Plan establishes the pattern that development within the Municipality of Callander should follow until 2026. In accordance with the *Planning Act*, this Plan will be reviewed at least every five years to determine whether the basis has changed and whether the Official Plan continues to manage change and growth in the Municipality.

The Official Plan process has resulted in the development of a Land Use vision for the future of the Municipality of Callander. This vision is based on the following planning principles:

- Protection and enhancement of the natural environment and natural heritage features.
- Management of growth through allocating servicing capacity and development phasing.
- Management of shoreline development and protecting the lakeshore environment.
- Protection of the rural and resource lands from incompatible development that may preclude rural and resource related uses.
- Maintaining the character of the community.

The Plan is intended to be read in its entirety and the relevant policies are to be applied to each situation. Landowners, developers, and all users of this Plan should read all of the relevant policies in this Plan as many sections of the document have related policies in other section. While specific policies sometimes refer to other policies, not all cross-references are identified in the document.

All new public works must conform to this Official Plan. This Plan applies to all lands within the Municipality of Callander.

## **1.2 STRUCTURE OF THE PLAN**

This Plan contains four distinct levels of policies. They are as follows:

### **1.2.1 The Basis**

The Basis section of the Plan is not policy. It describes the primary facts and issues that were considered when this Plan was prepared, and the basic assumptions, observations and forecasts that have been derived from a comprehensive background study and extensive public input. This section is included to provide an understanding of the circumstances that the policies of the Plan are intended to address.

### **1.2.2 Objectives**

The Objectives of the Plan form the foundation for the more detailed land use policies provided for each designation in the Land Use Designation Section. The Objectives describe, in very general terms, what the Municipality intends to accomplish as the result of its planning program over the lifetime of this Plan. Where uncertainty exists as to the intent of specific policies in the Plan, reference should be made to the Objectives.

### **1.2.3 General Development Policies**

The General Development Policies act as the primary guidelines to be used in considering all development proposals and public works projects. This section of the Plan establishes criteria or tests, which must be considered prior to the Municipality approving any development proposal. The criteria relate to environmental, cultural and physical features in the Municipality.

### **1.2.4 Land Use Designations**

Schedule A and A-1, the land use maps, depict the future land use for the Municipality. The designations on Schedule A and A-1 relate specifically to corresponding policies in Section 5.0 of the Plan. The

policies establish the form of development that may occur on lands and lands to be protected from development within different parts of the Municipality according to the designations on Schedule A and A-1.

### **1.2.5 Implementation**

The Implementation section describes the actions that will be taken to put the policies of this Plan into effect. It outlines how the planning process in the Municipality will work and what forms of regulation may be used to ensure that development occurs in a manner consistent with the policies of the Plan.

This Plan will be reviewed every five years in accordance with the Planning Act. In addition each Council that is elected shall consult the Objectives in this Plan as a basis for establishing strategic actions and priorities.



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## 2.0 BASIS OF THE PLAN

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This section of the Plan identifies the primary factors that have been considered during the preparation of the Plan. Should any of these factors significantly change this Plan should be reviewed to determine whether major policy or land use designation changes are warranted.

- 2.1 This Plan replaces the 1997 Official Plan for the Municipality of Callander. The previous Official Plan covered the urban area of Callander as well as the rural area of the former Township of North Himsforth. This Plan incorporates new policy direction as a result of the Provincial Policy Statement in 2005 (PPS).
- 2.2 This Plan has been based in part on data collected in a series of detailed background studies dealing with growth management, local planning and the environment. Sources of this information include, Provincial Ministries, Statistics Canada, existing municipal information and on-site review of land use and physical conditions. As the conditions and information on which this Plan has been formulated change, there will need to be changes to the policies contained in the Plan over the life of the Plan (2007-2026).
- 2.3 The permanent population of the Municipality will increase slowly over the life of this Plan to **4,579** from its current **3,579**. It is anticipated that residential housing growth will occur at about **20** units per year for the whole of the Municipality.
- 2.4 The Municipality of Callander is experiencing development pressures primarily in the form of shoreline development and to a lesser extent, for rural residential development along municipal roads. Council wishes to guide residential development to ensure that development does not result in an undue financial burden to the Municipality or adverse environmental effects.
- 2.5 The Municipality of Callander sewage treatment system is nearing capacity, which limits the ability of the Municipality to respond to new development approvals requiring sewage capacity. At the time of completing this Plan all of the available sewage treatment capacity has been allocated. The Municipality will complete an Environmental Assessment to consider sewage treatment plant improvements to increase capacity in order to allow planning approvals for new development. The Provincial Policy Statement (PPS) requires

municipalities to set targets for infilling and intensification. This will need to be taken into consideration in allocating further sewage capacity.

- 2.6 There is limited industrial development in the Municipality. Commercial development, which is generally focused within the Settlement Area of Callander, has not significantly increased in recent years. In keeping with the PPS for the provision of a mix and range of employment opportunities and in an effort to improve employment conditions and the economic situation of the residents as well as broaden the municipal assessment base, Council wishes to encourage new industrial and commercial development provided that it is compatible with the environment and surrounding land uses.
- 2.7 There are Provincially significant wetlands and natural heritage features in the Municipality that are environmentally sensitive and need to be protected from incompatible land uses and activities. As the identification of environmentally sensitive areas improves, the mapping of these features will be incorporated into this Plan by Official Plan Amendment.
- 2.8 In preparing this Plan, regard has been had for the Provincial Policy Statement of the Province of Ontario (PPS). This Plan does not replicate the wording of that document. However, it does implement policies that are consistent with the PPS as they relate to the Municipality of Callander.
- 2.9 Historically much of the development in the Municipality has been comprised of permanent residential development within the Callander Settlement Area, permanent and seasonal residential shoreline development and rural residential development. With the completion of the four-laned Highway 11 south of the Municipality there will be increased shoreline residential pressure in the Municipality. There will need to be a concerted effort to maintain the environmental quality of Lake Nipissing when considering new development and to ensure that new development is in keeping with the neighbouring shoreline development. There is an increasing need to assess the cumulative impact of waterfront development throughout the Municipality and to encourage a culture of environmental sustainability.
- 2.10 In an effort to encourage sustainable communities there is a significant need to address stormwater management issues in the Callander Settlement Area. Addressing stormwater contamination of Lake Nipissing is critical to maintaining the water quality of the lake.
- 2.11 New public works within the Municipality will be guided by the policies of this Plan and will be planned and implemented, where applicable, in

accordance with Municipal Class Environmental Assessment under the Environmental Assessment Act. Council may entertain a broader range of services should the opportunity for funding be made available.

**2.12** In 2006, the Municipality of Callander became regulated under the Aggregate Resources Act. This act requires all new aggregate operations and expanding existing operations to obtain licenses from the Ministry of Natural Resources. Aggregate operations will need to be assessed in terms of the impacts on municipal roads, safety and land use compatibility and should consider appropriate policies to regulate such things as hours of operation, lighting and buffering.

**2.13** With increasing gasoline and energy costs, it will be incumbent on the Municipality to establish policies to encourage energy conservation and address the siting, location, and appearance of future structures and devices designed to capitalize on new energy sources that are consistent with the provisions of the Green Energy and Economy Act.

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## 3.0 OBJECTIVES

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This Section of the Plan establishes the fundamental policies that will guide future development in the Municipality of Callander. The policies and land use designations contained in the Plan are based on achieving these objectives. In the event that clarification of the intent of the policies in this Plan is required, these Objectives shall be considered.

The Objectives of this Plan are as follows:

### 3.1 GROWTH MANAGEMENT

- 3.1.1 To direct 75 percent of new residential and employment growth to the fully serviced portion of the settlement area of Callander and to strengthen the function of the settlement area as a complete community.
- 3.1.2 To encourage 20 percent of new residential units to be created through intensification and redevelopment within the existing settlement area of Callander.
- 3.1.3 To provide sufficient land designated for residential development to accommodate a minimum of a ten-year supply of land and to maintain at least a three-year supply of approved or draft plan approved residential lots.
- 3.1.4 To encourage a residential housing split of 60/25/15 for low/medium/high density to provide an appropriate range of housing types and densities to meet projected requirements of current and future residents of the Municipality.
- 3.1.5 To seek an employment to population ratio of 1:4 over the lifetime of this Plan. This will require the creation of 112 new jobs and the development of approximately 5 hectares of new employment lands, which will provide opportunities and options for a variety of employment uses.
- 3.1.6 To ensure that sewage treatment, water supply services and waste disposal services are planned and developed to provide for the growth targets outlined in this Plan.

- 3.1.7 To limit the amount of development in the rural area by permitting limited lot creation by consent. Rural consents will be encouraged to occur through infilling in accordance with the consent criteria of this Plan.
- 3.1.8 To permit limited residential development in the shoreline areas adjacent to Callander Bay and Lake Nipissing in the Municipality only where it can be demonstrated that it will not adversely impact water quality.

## **3.2 NATURAL ENVIRONMENT**

- 3.2.1 To maintain or enhance the Provincially Significant Wetlands and natural environment in the Municipality as an ecosystem comprised of many related components.
- 3.2.2 To require that all development be planned and designed to protect, maintain and enhance water related resources within the watersheds in the Municipality.
- 3.2.3 To protect, restore and improve water quality and hydrological characteristics, functions and processes of watercourses, lakes, aquifers and wetlands.
- 3.2.4 To maintain and protect significant wildlife habitat areas and corridors and habitats of vulnerable and threatened species.
- 3.2.5 To minimize the loss or fragmentation of significant woodland features and the habitats and ecological functions they provide.
- 3.2.6 To preserve the ability to see the stars in the sky at night as an important characteristic of the Municipality of Callander.
- 3.2.7 To ensure that natural resource activities, including forestry, mineral exploration and development, hunting and fishing and other recreational activities can continue in a manner that is sustainable and to protect the quality and quantity of surface and ground water resources.

## **3.3 ECONOMIC DEVELOPMENT**

- 3.3.1 To encourage economic development and provide opportunities for sustainable economic growth that is compatible with the character and environment of the Municipality.
- 3.3.2 To establish, maintain and enhance Employment Areas that provide a range of job opportunities and a broad range of commercial and service

facilities geared specifically to meet the needs of residents of the Municipality.

3.3.3 To ensure that a sufficient supply of employment lands is available for development at all times.

3.3.4 To encourage the development of home-based businesses provided the proposed use is compatible with adjacent land uses.

3.3.5 To provide opportunities to improve and enhance the quality of tourist facilities and the variety of tourism related business in the Town.

3.3.6 To ensure that land uses are compatible with adjacent uses.

### **3.4 WATERFRONT AREAS**

3.4.1 To ensure that development in the shoreline areas maintains the character of the existing development and preserves the natural features of the shoreline.

3.4.2 To ensure that the redevelopment of seasonal dwellings to permanent dwellings does not result in additional environmental impacts or increase municipal servicing costs.

3.4.3 To protect the shoreline wetlands and fish habitat.

3.4.4 To prohibit development in areas subject to flooding and erosion hazards.

3.4.5 To seek to improve water quality in Callander Bay through improved sewage treatment and stormwater management.

### **3.5 CULTURAL HERITAGE**

3.5.1 To enhance the character of the Municipality by protecting and maintaining the Municipality's cultural heritage resources.

3.5.2 To ensure that the nature and location of cultural heritage and archaeological resources are known and considered before land use decisions are made by requiring the appropriate studies in accordance with provincial guidelines.

3.5.3 To encourage the development of a comprehensive inventory of the Municipality's built heritage and cultural heritage landscape resources, archaeological sites and areas of archaeological potential, and establish criteria respecting the conservation of these features.

### **3.6 SERVICES AND TRANSPORTATION**

- 3.6.1 To ensure that all necessary services required to serve and support development are available to meet the demands of present and future inhabitants and reflects the financial ability of the Municipality to provide services.
- 3.6.2 To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including automobiles, trucks, cycling and walking, snowmobiles, recreational vehicles and boats.
- 3.6.3 To ensure that all development is appropriately serviced with potable water and sewage services, and that public and privately serviced developments will have the least impact possible on water quality or quantity.

### **3.7 MINERAL RESOURCES AND MINERAL AGGREGATES**

- 3.7.1 To ensure that the mineral aggregate resources in the Municipality are available to supply mineral aggregate needs.
- 3.7.2 To require the proper management of mineral aggregate operations to minimize potential negative environmental and social impacts.
- 3.7.3 To establish an appropriate regulatory By-law to manage and control aggregate operations including hours of operations, signage, truck routes, control of dust, noise, vibration, rehabilitation and other operational matters.
- 3.7.4 To encourage the Province to consider the Municipality's policy and regulatory requirements when reviewing and approving applications for pits and/or quarries located on Crown Land.
- 3.7.5 To ensure that mineral resources are considered and protected when making all land use planning decisions.
- 3.7.6 To ensure that mineral mining operations and petroleum resource operations are protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

### **3.8 ENERGY CONSERVATION**

- 3.8.1 To recognize and encourage alternate forms of energy including the development of wind generated power and solar power in a manner that does not impact the visual or environmental qualities of the Municipality.
- 3.8.2 To encourage energy conservation through planning that promotes pedestrian and cycling activities in the Municipality.
- 3.8.3 To encourage and promote building design with energy conservation in mind which will include water use, electrical, HVAC systems using operation techniques that promote a sustainable community concept.
- 3.8.4 To encourage all practical forms of conservation to reduce the environmental impact on the community.

### **3.9 SUSTAINABILITY**

- 3.9.1 To encourage sustainability in the Municipality through the encouragement of development of brownfields, affordable housing, improving air quality and reducing light pollution.
- 3.9.2 To ensure consideration is given to sustainability through the adoption of policies and procedures to be used to assess sustainability for all development applications.
- 3.9.3 To ensure the Municipality's Zoning By-law, Urban Design Guidelines and other municipal by-laws specifically address and promote sustainability practices within the community.

### **3.10 LEISURE AND RECREATION**

- 3.10.1 To encourage the provision of an appropriate range, type and distribution of educational, cultural and recreational facilities and services for residents and tourists alike in the community.
- 3.10.2 To encourage and support the development of new and expanded leisure facilities, parks, open space and trail systems for the community to provide a range of active and passive recreation opportunities.

### **3.11 ACCESSIBILITY**

- 3.11.1 To ensure that community facilities and services are accessible to all municipal residents;



3.11.2 To encourage consideration of the needs of special groups and in particular persons with disabilities, and an aging population in the design and construction of buildings and other facilities.

### **3.12 URBAN DESIGN**

3.12.1 To take a comprehensive approach to community design that will result in appropriate development and redevelopment that will occur over a significant period of time.

3.12.2 To ensure that municipal goals for the overall layout and character of new development and redevelopment within the Callander Settlement Area are achieved.

3.12.3 To provide a policy framework to assist in the preparation of plans and subdivision/condominium, implementing Zoning By-laws, development agreements and site plan approvals.

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## 4.0 GENERAL DEVELOPMENT POLICIES

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These policies apply to all development in the Municipality. When considering proposals for development, Official Plan Amendments, Zoning By-law Amendments, Consents, Subdivision or any other form of development requiring approval, the following policies will, where applicable, be considered.

### 4.1 GENERAL POLICIES

4.1.1 It shall be a policy of the Municipality to ensure that all development occurs in accordance with the land use designations shown on the attached schedules and with the policies of this Plan. No Zoning By-law shall be approved or modified and no public works shall be undertaken which do not comply with the provisions of this Plan.

4.1.2 Where a land use is permitted, uses normally accessory to such use are also permitted. Provisions and regulations regarding accessory uses, including size, type, location, height, mass, floor area, and spacing shall be included in the Implementing Zoning By-law.

4.1.3 Prior to development occurring, and before any subdivision or a provisional consent is permitted, or any amendment to a Zoning By-law is made, it shall be established to the satisfaction of the Municipality and all other bodies having jurisdiction, that:

- a) Soil and drainage conditions are suitable to permit the proper siting of buildings and other site improvements such as driveways, parking, and accessory structures;
- b) Suitable arrangements have or can be made for water supply, sewage disposal, storm drainage and all other necessary public services;
- c) No traffic hazards will ensue because of excess traffic generation, or limited sight lines on curves or grades;
- d) The land fronts on a year round publicly maintained road which meets municipal standards or has legal access to a year round publicly maintained road; (OPA 02-2023)
- e) The potential impact of all adjacent land uses upon the proposed use has been adequately investigated;

- f) The potential impact of the proposed use on adjacent lands has been considered, and adequate mitigation measures, including buffer distances and/or screening is provided between the use and adjacent uses in accordance with the policies of the Plan; and,
- g) The Minimum Distance Separation formulae is complied with.

4.1.4 In the course of considering a development proposal, Council may undertake, or direct to be undertaken, studies to ensure that the objectives and policies of this Plan are met. Such studies may include the ecological, social and economic impacts on the Municipality and its residents as set out in this Plan. These studies are to be submitted to the Municipality and are to be reviewed by Municipal Staff. Peer reviews may be required at the discretion of Council. Council may refuse developments that would have significant adverse impacts, or may require remedial works to offset such impacts as a condition of development approval.

4.1.5 Certain areas and types of development in the Municipality shall be subject to the site plan control provisions of the Planning Act. The specific land uses and designations which may be subject to site plan control and the associated policies are outlined in Section 10.5 of this Plan.

## **4.2 AGGREGATE AND MINERAL RESOURCE AREA**

4.2.1 Areas having high aggregate or mineral resource potential are identified on Schedule B as Aggregate Resource Area and Mineral Resource Area. Development of these areas for purposes other than resource extraction will only be permitted, where it can be shown that the proposed development has a greater public interest than the extraction of the resource and the development will not adversely affect the availability of the resource and long-term viability of the aggregate or mineral industry in the future.

4.2.2 Where development is proposed in or adjacent to an area of known mineral or aggregate resources, the development shall be set back and buffered sufficiently to ensure that it would not preclude or hinder the establishment of new operations, expansion of existing operations or access to the resources, except where the following conditions are met:

- a) the resource use would not be feasible;
- b) the proposed land used or development serves a greater long term public interest; and,

- c) issues of public health, public safety and environmental impact are addressed.
- 4.2.3 Adjacent is considered to be minimum of 300 metres for existing pits and aggregate reserves and a minimum of 500 metres for existing quarries.
- 4.2.4 When new development is generally proposed within 1000 metres of a quarry within the Aggregate Extraction Area designation, Council shall be satisfied that the proposed use is compatible with the operation of the pit or quarry. In some cases, setbacks between the uses may be required to minimize conflicts. Council may require a report on land use compatibility in accordance with MOE Guidelines D-1 and Procedure D-1-2 in support of an application for development.
- 4.2.5 No development may take place within one kilometre of a mining hazard unless the property owner has had the site assessed by an engineer and a signed report certifying the safety of the site has been completed in accordance with Ministry of Environment Guidelines D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses and D-1 Land Use Compatibility.

### **4.3 ARCHEOLOGICAL RESOURCES**

- 4.3.1 Lake Nipissing historically was a major transportation link between the Ottawa Valley and Georgian Bay, used by aboriginal peoples, early European settlers and the original seasonal residents in the area. Given the native and early European settlers and the existence of the fur trade there is a high probability that archeological sites exist. When development is proposed along the shoreline or in river valley areas where there is an identifiable rise in elevation, at the outlet of major streams or where there are falls or rapids in the waterway, Council may require the submission of an archeological study.
- 4.3.2 Areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Municipality and developed by a licensed archaeologist.  
  
In areas identified as having archaeological potential, Council may require an archaeological assessment as a condition of any development proposal.
- 4.3.3 Archaeological assessment reports shall be conducted by archaeologists licensed by the Ontario Heritage Act and in compliance with guidelines set out by the Ministry of Culture and Recreation. Where assessments identify previously unknown archeological resources, the Municipality

shall archive the information as part of a heritage resource information base.

- 4.3.4 Where archeological sites are found in the Municipality they shall be reported to the appropriate Provincial agency. Based on the extent and significance of the findings, Council may:
- a) require the site to be preserved in its natural state;
  - b) require that portions of the site remain preserved through the development process; or
  - c) require that artifacts found on the site be removed by a licensed archeologist and preserved for public education.

- 4.3.5 Council shall consult appropriate government agencies, including the Ministry of Tourism, Culture and Tourism and the Ministry of Consumer and Commercial Relations when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions under The Heritage Act and The Cemeteries Act shall apply.

#### **4.4 BROWNFIELDS**

- 4.4.1 It is the Municipality's objective to encourage the re-use and redevelopment of Brownfield sites. Brownfield sites refers to properties that have been or may be impacted by former industrial or commercial uses and may be contaminated as a result of these former activities. These properties are either vacant or under-utilized and in some cases may be abandoned. There are concerns over their environmental liability, the stigma attached to the former use, and/or the financial costs for site rehabilitation.

- 4.4.2 The Municipality will work closely with the development community to support the continued redevelopment of these sites. These sites may be developed subject to the policy in Section 4.18 of this Plan.

- 4.4.3 The Municipality may provide financial incentives through Community Improvement Plans to encourage the redevelopment and rehabilitation of Brownfield sites. In addition, the Municipality will assist property owners to seek other financial incentives from Provincial or Federal government programs.

- 4.4.4 In an effort to encourage redevelopment of Brownfield sites, Council may:
- a) permit increased densities;

- b) prioritize sewage allocation for Brownfield sites;
- c) reduce parkland dedication; or
- d) reduce development charges.

## **4.5 CROWN LANDS**

- 4.5.1 This Plan recognizes that the Province has the ultimate jurisdiction for determining the use of Crown land. Crown lands are shown on Schedule A. The Municipality encourages the Province and its resource ministries to consult the Council of the Municipality when making land use decisions concerning Crown lands.
- 4.5.2 Council encourages the preservation of Crown lands in the Municipality for the use and enjoyment of residents and tourists. The use of lands within the Conservation Reserves are governed by plans for these areas prepared by the Ministry of Natural Resources.
- 4.5.3 Where resource activities on Crown Lands have off-site impacts on municipal roads and services the Municipality will make efforts to ensure that the impact is minimized and that additional municipal costs are off-set by those who benefit from the services.
- 4.5.4 When forest management plans are being prepared, they should recognize the impacts of forestry operations on the tourism industry and visual amenities of the Municipality.
- 4.5.5 This Plan shall be binding on any lands that cease to be Crown lands either by sale or transferred into private ownership, and the use and development of those lands shall require an Amendment to this Plan.

## **4.6 CULTURAL LANDSCAPES**

- 4.6.1 Cultural landscapes include natural and man-made features that define the character of the Municipality. Lake Nipissing is part of the Canadian Heritage River designation that extends along the Mattawa River linking the Ottawa River to the Lake and Georgian Bay. The area includes outstanding natural features and a rich history associated with native history, exploration and the fur trade. These natural landscapes are what defines the Callander Bay area.
- 4.6.2 All development shall be designed in a manner that is sensitive to the cultural landscapes in the Municipality. Historic buildings, trails and roadways shall be preserved wherever possible. New structures built in the area of these features shall be designed to reflect the surrounding landscape and built form. Council will use site plan control to ensure

that new development is sited and designed to complement the historic and natural character of the Municipality.

- 4.6.3 Council will encourage the preservation of these natural landscapes along Lake Nipissing and will continue to promote and market the famous people that have lived in the Municipality.

#### **4.7 DEER WINTERING AREA**

- 4.7.1 Large portions of the Municipality have been identified as significant deer wintering area by the Ministry of Natural Resources. These areas are generally shown on Schedule B, however it is recognized that these areas may change over time. Development in these areas must be sensitive to the impact of the development on deer wintering areas. These areas are generally described as areas having dense conifer cover and lands having woody deciduous vegetation within 30 metres of dense conifer vegetation. The removal of vegetation in these areas will be minimized.
- 4.7.2 Within the significant deer wintering areas shown on Schedule B new lots should avoid areas of dense conifer cover or be of a sufficient size to provide a suitable development area including access and services, outside the most significant deer wintering area described above. The minimum lot size shall be 100 metres frontage and 100 metres depth.
- 4.7.3 Exceptions to the minimum lot size requirements may be considered by the Municipality where more than one legal detached dwelling that is structurally sound exists as of the approval of this Plan, it is demonstrated to the appropriate approval authority that each dwelling can be adequately serviced, and a site evaluation has been completed by a qualified biologist that documents habitat conditions and demonstrates that winter deer habitat is not present on the property.
- 4.7.4 In shoreline areas, development shall be situated in locations that will not result in the removal of significant amounts of shoreline vegetation or affect shoreline habitat. Site-specific zoning and site plan control will be used to site development in the most appropriate areas to ensure minimal impact on the natural habitat.
- 4.7.5 Where any development is proposed within significant deer wintering habitat Council will require the submission of an Environmental Impact Assessment Report including a wildlife habitat assessment prepared by a qualified biologist. The recommendations of that report will be implemented through site-specific zoning and site plan control to ensure that no negative impacts will occur.

## **4.8 ENERGY CONSERVATION AND GREEN ENERGY**

4.8.1 The Municipality will encourage the development and utilization of alternative energy sources, including wind, solar and renewable resources provided they are appropriately sited.

4.8.2 The Municipality shall encourage energy conservation by promoting:

- a) compact urban form in the Callander Settlement Area;
- b) mixed use development in appropriate locations and live-work relationships to reduce automobile use;
- c) lot and building design that maximizes direct access to sunlight during the winter;
- d) the use of vegetation that will reduce energy consumption of buildings;
- e) use of energy efficient building design and fixtures; and
- f) cycling and walking.

4.8.3 The Municipality of Callander recognizes that the Green Energy Act provides limited jurisdiction for the Municipality to regulate the location of Green Energy sources and infrastructure. However, though commenting processes related to Planning Act Applications for land division or though Environmental Assessment Act processes, the Municipality will provide comments that encourage Green Energy sources and infrastructure to development in appropriate areas of the Municipalities.

In providing comments on Green Energy infrastructure, Council shall consider the appropriateness of the application in regards to:

- a) the location of communities, residential subdivisions and built-up areas;
- b) sensitive land uses, including residences;
- c) noise mitigation in accordance with the applicable regulations of the Ministry of the Environment and safety relative to such aspects as falling ice;
- d) bird migration routes and feeding areas;
- e) agricultural land capability;



- f) the capacity of the affected public roads to accommodate construction and maintenance vehicles;
- g) airports and private airstrips and the applicable regulations of Transport Canada;
- h) the location of shoreline development;
- i) the location of natural heritage features;
- j) archaeological resources or cultural landscapes.

4.8.4 The implementing Zoning By-law may include setbacks for new sensitive land uses in the areas adjacent to a green energy facility.

4.8.5 If wind or solar power facilities are decommissioned, the site shall be appropriately rehabilitated for a use permitted by the applicable policies of this Plan and Zoning By-law.

## **4.9 ENVIRONMENTAL IMPACT ASSESSMENTS**

4.9.1 Where this Plan makes reference to Environmental Impact Assessment Reports the report shall include the following where deemed appropriate by Council;

- a) a site plan of the proposed development indicating proposed and existing developments with all appropriate setbacks shown;
- b) the significant features and functions within the surrounding area;
- c) the potential impacts of the development on the natural features;
- d) the impacts of noise, vibration, dust and traffic;
- e) the visual impact of the development on the shoreline areas;
- f) options for locating the development in a less sensitive area;
- g) techniques that should be used to mitigate potential impacts; and,
- h) means to implement the mitigation measures.

4.9.2 Environmental Impact assessments shall be completed by a specialist qualified in the environmental features and values that are being assessed. Developments that have satisfied the provisions of the

Environmental Assessment Act will not require further study to satisfy this policy. Environmental Impact Assessments may be required to be peer reviewed at the discretion of Council.

#### **4.10 FLOOD PRONE LANDS**

4.10.1 In order to protect life and property, new structural development below identified flood elevations will not be permitted unless otherwise specified in this plan, except for uses which by their nature must locate within the floodway such as docks and flood or erosion control structures. The Municipality will not support the placement or removal of fill below such elevations.

4.10.2 In addition to lands designated Environmental Protection on Schedule 'A' and "A-1", other lands may be subject to flooding and the policies in Section 5.3.4 Hazard Lands will apply. The Conservation Authority will provide any available flooding information.

4.10.3 Lake Nipissing is subject to the Large Inland Lake Policy as implemented by the Conservation Authority. The flood elevation for Lake Nipissing is 197.25 CGD. Subject to the approval of the Conservation Authority, lands abutting Lake Nipissing may be filled to provide building areas provided that there is no adverse environmental impact.

4.10.4 Conditions may be placed on the creation of new lots requiring site-specific zones to provide minimum opening elevations and setbacks to ensure adequate flood protection.

#### **4.11 GARDEN SUITES AND ACCESSORY DWELLING UNITS**

4.11.1 Garden suites shall be permitted subject to a Zoning By-law Amendment, on land designated, Rural Area and Residential Area. When considered an amendment to a Garden Suite Council shall be satisfied that:

- a) the garden suite is being permitted in conjunction with a single detached dwelling unit and that the garden suite is secondary to the single detached unit;
- b) there is adequate sewage disposal and water service capacity available to service the units acceptable to the appropriate approval agency and the roads are of a standard that can accommodate the increased use, in the case of a rural area the garden suite is serviced through an extension from the existing dwelling unit and the private services are adequate to service the principle residential unit and the garden suite;

- c) adequate parking is available for the unit and buffering where necessary; and,
- d) the development will not adversely affect the character of the area and is designed to be in keeping with the character of the surrounding area.

4.11.2 The conversion of a principle dwelling units to accommodate an accessory dwelling unit shall be permitted in the Rural Area and Residential Area subject to a Zoning By-law Amendment unless the implementing Zoning By-law establishes specific regulations and standards in accordance with the following;

- a) the accessory dwelling unit is being permitted in conjunction with another dwelling unit and is clearly secondary and accessory in nature;
- b) only one accessory dwelling unit is permitted per lot;
- c) adequate parking and snow storage is available;
- d) where necessary adequate buffering of adjacent uses is provided;
- e) there is adequate sewage disposal and water capacity available to service the accessory unit;
- f) the minimum floor area of the accessory dwelling unit and all other standards will comply with the Ontario Building Code, Ontario Fire Code and all other applicable requirements.

4.11.3 The location and development of garden suites shall satisfy the General Development Criteria in this section of the Plan, including impact on deer wintering habitat.

## **4.12 GROUP HOMES**

4.12.1 It shall be a policy of Council to permit the establishment of group homes within the Municipality in accordance with the following policies and all other relevant policies of this Plan.

4.12.2 The Zoning By-law shall establish the areas in which group homes may be permitted and such other matters as the number of persons who may reside in a group home and the minimum separation distance between group homes. In order to prevent an undue concentration of residential care facilities in specific areas of the Municipality, the Zoning By-law shall specify a minimum distance separation between facilities, as well as regulations regarding performance standards such as dwelling type,

and minimum floor space. These standards shall have regard to the limitations of the existing housing stock and design, as well as the objective of community integration. Only those group homes which require a rural or small community setting will be permitted in the rural areas of the Municipality.

#### **4.13 HOME-BASED BUSINESSES**

4.13.1 Home-based businesses are permitted in all designations where a dwelling is a principle permitted use. Bed and Breakfast establishments shall be permitted in all designations subject to a rezoning.

4.13.2 Home-based businesses are subject to the following requirements:

- a) it is wholly located within a dwelling unit;
- b) it is clearly secondary to the primary use of the property as a residence to the person conducting the business, in terms of floor space utilization, and is compatible with surrounding residential uses;
- c) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- d) the character of the dwelling as a private residence is preserved;
- e) no outside storage of goods, materials, equipment or service vehicles other than cars, vans and light trucks related to the business occurs;
- f) adequate on-site parking is provided for the business use, in addition to the parking required for the residential use, and such parking is provided in locations compatible with the surrounding residential uses;
- g) the sign identifying the business is limited in size and in accordance with a Municipal Sign By-law, when passed by Council;
- h) the existing private sewage disposal system is acceptable to adequately service the principle residential dwelling unit and the proposed business;
- i) the traffic generated will not impact negatively upon a local road or Provincial Highway; and,
- j) Home-based businesses located on provincial highways require the approval of the Ministry of Transportation for entrance and

sign permits. The MTO requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance and that an additional entrance will not be permitted to accommodate the home-based business.

The Implementing Zoning By-law shall further detail the conditions under which a home-based business may be permitted.

#### **4.14 HOUSING**

4.14.1 The projected population increase for the 20-year period extending from 2006-2026 for the life of the Official Plan is expected to be approximately 1,000 persons. Based on an average household size of 2.5 there will be a need for approximately 400 housing units to be built between 2006 and 2026.

4.14.2 Residential development has traditionally been heavily weighted to single detached dwellings. The percentage of singles to multiple dwellings is approximately 97.5 percent/2.5 percent respectively in the Municipality.

4.14.3 The future housing mix shall recognize the attractiveness of the community for retirement and lifestyle housing particularly for seniors but should also accommodate new young families to the area. This is consistent with Provincial Policy, which directs municipalities to identify and promote opportunities for intensification and redevelopment and provide for an appropriate range and mix of residential accommodation.

4.14.4 Council will work with developers, service delivery groups and funding agencies in an effort to create affordable housing opportunities including multiple residential development primarily through redevelopment and intensification in the Callander Settlement Area.

4.14.5 During the life of this Official Plan, at least 25 percent of future housing should be row/townhouse development and 15 percent apartment dwelling units which would assist those low and moderate income households.

#### **4.15 HUMAN-MADE HAZARDS**

4.15.1 Development on, abutting or adjacent to lands affected by mine hazards, oil, gas and salt hazards, or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.

#### **4.16 HUNT CAMPS**

- 4.16.1 For the purpose of this Official Plan, hunt camps are defined as seasonal camps used for hunting and fishing and which may or may not have direct access to a public road.
- 4.16.2 A new hunt camp may be constructed on patent lands or Crown Lands that do not have direct access to a public road, subject to the requirements of the Zoning By-law, Provincial approvals as required and a permit issued under the Ontario Building Code Act. Where access to a new hunt camp is proposed by means other than direct access to a maintained Municipal Road or a Provincial Highway the property owner(s) shall be required to enter into an agreement with the Municipality to recognize the proposed access and absolve the Municipality of any liability associated with the access.
- 4.16.3 The Zoning By-law shall establish performance standards that limit the scale of hunt camps on properties that do not have direct access to a Municipal Road or Provincial Highway or hunt camps that are located on Crown Lands.
- 4.16.4 The transfer of a hunt camp from the Crown to private ownership shall be subject to a Zoning By-law Amendment. The intent of the amendment is to consider an exemption from the established zoning requirement for the creation of new lots. It will also be a requirement of the amendment that the structure(s) and septic system comply with the Ontario Building Code Act.

#### **4.17 LAND USE COMPATIBILITY**

- 4.17 .1 The Municipality recognizes the need for land use compatibility. Land uses such as residential, schools, elder care facilities, hospitals, and day nurseries, are considered sensitive to noise, vibration, odour or other emissions associated with various types of industries. It is a policy of the Official Plan that incompatible land uses be separated and/or otherwise buffered from each other. Where a proposed development is located adjacent to a potentially incompatible land use, an assessment of the compatibility of the proposal shall be required in accordance with Provincial guidelines, including those prepared by the Ministry of Environment. An assessment of noise, odour, air quality, traffic and other potential environmental impacts may be required.
- 4.17 .2 This assessment shall be prepared to the satisfaction of Council and the appropriate agencies and shall include recommendations on how the impacts can be mitigated. The approval of development proposals shall be based upon the achievement of adequate separation distances, buffering, the implementation of the recommendation of the required

studies and the registration of any notices on title. The Municipality shall use the Zoning By-law and site plan control to provide compatibility between land uses.

#### **4.18 POTENTIALLY CONTAMINATED SITES**

- 4.18.1 Potentially contaminated sites include lands, buildings and structures where the environmental condition of the property and the quality of the soil or groundwater, as a result of current or past land uses may have the potential for adverse effects to human health or the natural environment.
- 4.18.2 Complete applications for planning approval will require a completed screening questionnaire regarding the current and past use of the lands and the actual or potential contamination of the lands.
- 4.18.3 The Municipality may require applications for planning approval for development to be supported by an affidavit from a qualified engineer indicating that a Phase I Environmental Site Assessment (ESA) has been completed in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 or their successors.
- 4.18.4 The Municipality will require a Phase II ESA be completed in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 where the Phase I ESA reveals that the site may be contaminated. The Phase II ESA will provide a sampling and analysis of the property to confirm and delineate the presence of soil or groundwater contamination at the site or confirm the absence of contamination.
- 4.18.5 Prior to planning approvals for subdivision, site plan, and consent applications from the Municipality for residential development or where the application is for a change of use to a more sensitive land use than the sites previous land use, and where the Phase I and II ESA's reveal the site is or may be contaminated, the applicant shall provide a Record of Site Condition in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 as amended from time to time. The Record of Site Condition shall be acknowledged by the Ministry of the Environment and registered on title of the subject lands, confirming that the site has been remediated and made suitable for the proposed use. The Record of Site Condition and Ministry of the Environment acknowledgment shall be provided to the Municipality.
- 4.18.6 Where the Municipality is to be deeded land for public highways, road widenings, parkland, stormwater management facilities or any other public use, the Municipality will require as a condition of the transfer a Phase I ESA in accordance with Part XV.1 of the *Environmental*

*Protection Act* and Ontario Regulation 153/04 or their successors confirming that no contamination exists on the land or a Record of Site Condition and acknowledgement from Ministry of the Environment to ensure that the lands have been properly remediated where such contamination was discovered.

4.18.7 The Municipality will require that a Record of Site Condition, acknowledged by the Ministry of the Environment be submitted for development applications on sites where there is a gas station with a license to operate from the Technical Standards and Safety Authority (TSSA). When the site is being redeveloped for the same use, the Municipality will require a letter of continued use from the TSSA in place of the Record of Site Condition. For instances where contamination has extended onto a Municipality road or other municipal lands, the Municipality will require that an Off-site Management Agreement and Remedial Action Plan pursuant to the *Environmental Protection Act* be implemented to the satisfaction of the Municipality prior to the issuance of a building permit.

4.18.8 In managing development on potentially contaminated sites, the Municipality should:

- a) identify and inventory those lands that are suspected or known to be contaminated;
- b) inform the applicant upon receipt of an application for development of any such site where contamination could be problematic given the nature of the proposed use(s); and,
- c) secure conditions and/or agreements as part of the planning review and approval process to ensure a Phase I or II ESA is carried out in accordance with this Plan.

#### **4.19 PUBLIC LAND USES**

4.19.1 Except as may be otherwise specifically stated in this Plan, it shall be a policy of this Plan to permit the use of any land or the use of any building or structure, for the purposes of public service by this Municipality, any telephone company, any natural gas company or any Department or Ministry of the Government of Ontario or of Canada or authorized contractors/agents of the Ministry or Agency. All public uses shall have regard to the specific Official Plan policies and zoning regulations for the designation and zone within which they are located. It is a policy of this Plan that public uses shall be directed away from lands designated Environmental Protection or support a natural heritage feature.



- 4.19.2 Public service uses shall not include waste management facilities, waste disposal operations, facilities operated by or for the Ministry of Corrections, or other similar uses. Such uses shall only be permitted in accordance with this Plan, and may require an Environmental Impact Assessment including social, financial and servicing aspects of such development.
- 4.19.3 All existing electric power facilities and the development of any new electric power facilities, including all works as defined in the Power Corporations Act, such as transmission lines, transformer stations and distributing stations, shall be permitted in any land use designation, without an Amendment to the Plan provided that such development satisfies the provisions of the Environmental Assessment Act, including regulations made under the Act, and any other relevant statutes.

## **4.20 SENSITIVE FISH HABITAT**

- 4.20.1 Schedule B outlines areas that have been identified as Sensitive Fish Habitat. These areas are important feeding, spawning and nursery areas and must be protected to ensure a healthy population of sports fish in the Municipality and in the watershed.
- 4.20.2 New lots fronting onto Sensitive Fish Habitat areas shown on Schedule B shall be sufficiently large to provide an area of at least 10 metres of frontage that is outside of the significant habitat area. Larger scale Fish Habitat Classification mapping shall be consulted when development applications are being considered. Where the shoreline has not been evaluated in terms of fish habitat by the Ministry of Natural Resources, it shall be treated as Sensitive Fish Habitat, pending further assessment.
- 4.20.3 Where there is no reasonable alternative to locating waterfront activity areas outside of the identified fish habitat areas or areas of unknown fish habitat or where setbacks cannot be met, development may only be permitted where it is demonstrated to the satisfaction of the Municipality and the Department of Fisheries and Oceans that there will be no negative impact on significant fish habitat. The only exception would be where the Department of Fisheries and Oceans has previously authorized a “Harmful Alteration, Disruption or Destruction” of fish habitat as provided for under the Federal Fisheries Act. Proponents of development in these areas shall be required to submit an Environmental Impact Assessment report from a qualified professional identifying the nature of the fish habitat and limits of the fish habitat areas and providing recommendations regarding preservation of the habitat.

## 4.21 SOURCE WATER PROTECTION

4.21.1 At the time of the preparation of this Plan, the North Bay Mattawa Conservation Authority is in the process of developing the Source Water Protection Plan for the City of North Bay and surrounding communities. Upon the completion of the Plan, the Municipality of Callander may undertake an amendment to the Official Plan to assist with the implementation of the local Source Protection Plan.

4.21.2 At the present time residents in the Municipality obtain drinking water from Callander Bay and private wells. It is a policy of this Plan to:

- a) protect the quality and quantity of water available for drinking water purposes;
- b) manage water resources in a manner that ensures an adequate sustainable supply of clean water for both human use and the natural environment;
- c) protect existing surface and ground water quality from degradation and to improve and restore water quality where degraded;
- d) incorporate source protection objectives into the land use planning process to ensure that the sources of water are not compromised in the future as a result of land use decisions;
- e) encourage the establishment of water conservation measures as a way to meet water supply needs in the same manner that alternatives to create new supplies are investigated;
- f) amend both this Plan and the implementing Zoning By-law as may be necessary to restrict uses in headwater or recharge areas if there is an inherent risk of contamination, and,
- g) educate the public on the value of protecting the resource and how they can contribute to its protection.

4.21.3 Major applications for development in close proximity to development serviced by private wells shall be supported by a Hydrogeological Report. Major applications shall include any development requiring an Amendment to this Plan. In addition, a Hydrogeological Report may be required for other applications in accordance with the policies of this Plan.

4.21.4 The purpose of the Hydrogeological Report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:

- a) how to maintain or enhance the hydrological function of the water resource;
- b) how to minimize or eliminate the effect of the proposed use on the groundwater recharge and discharge function;
- c) how to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
- d) how to maintain or enhance sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
- e) whether it is necessary to monitor water budgets for groundwater aquifers and surface water features; and,
- f) how to ensure that the quality of the watercourses affected by the development are maintained.

4.21.5 On the lands identified on Schedule “C” as Source Water Intake Protection Zone One (SW IPZ-1) The Municipality shall prohibit the future establishment of a land use that involves the storage of pesticides including the retail sale, manufacturing, processing, and wholesaling thereof where the threat from the storage of pesticides is significant. Further the Municipality shall prohibit the future establishment of a salt storage facility greater than 5,000 tonnes as the threat from the storage of road salt and as a snow storage facility or snow dump (areas where snow is likely to be transported from offsite) where the threat from their establishment could be significant. (OPA 01-2015)

4.21.6 On the lands identified on Schedule “C” as Source Water Intake Protection Zone One and Two (SW IPZ-1 and-2) the Municipality shall prohibit the future uses specifically including, the storage of agricultural source material, the handling and storage of non-agricultural source material, the handling and storage of commercial fertilizer and the use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard, as the threat from such uses would be significant. (OPA 01-2015)

4.21.7 On the lands identified on Schedule “C1” as Source Water Callander Issue Contributing Area (SW ICA), the Municipality shall prohibit the future use of land as storage of tailings from a mine or mine tailings pond, only if related to a circumstance containing phosphorus. (OPA 01-2015)

## **4.22 STORMWATER MANAGEMENT**

- 4.22.1 The Municipality will examine options for improving the quality of stormwater run-off in the Callander Settlement Area as a means to improve water quality in Callander Bay.
- 4.22.2 All commercial, industrial, institutional, recreational and multiple residential development proposals shall be supported by a Stormwater Management (SWM) report/brief. The content and scope of the SWM report/brief shall be determined when the development is proposed.
- 4.22.3 The SWM Report shall be prepared to the satisfaction of the Municipality and the appropriate agencies and be prepared in accordance with The Ministry of Environment Stormwater Management Planning and Design Manual, 2003, or its successor. The Stormwater Management report/brief shall:
- a) provide recommendations on a stormwater quantity system that ensures that post-development peak flow will not be greater than the pre-development levels for storms up to and including the Regional storm and the 1:100 year storm event;
  - b) document the possible impacts of development on watershed flow regimes including their interconnection with groundwater resources;
  - c) provide recommendations on how to maintain post-development water quality and improve run-off where appropriate;

- d) document the means by which stormwater volume control will be provided; and,
- e) determine and describe the necessary site management measures required to be undertaken during construction to mitigate the potential negative impact of development.

4.22.4 All stormwater management facilities in a Plan of Subdivision shall be placed in an appropriate Zone in the implementing Zoning By-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized. Stormwater management facilities for condominium developments and other large single uses may be privately owned and maintained. Agreements with the Municipality shall be required as a condition of approval to provide for their continued maintenance.

4.22.5 A stormwater management plan/report shall be reviewed and approved by the Ministry of Transportation for those developments located adjacent to or in the vicinity of a provincial highway whose drainage would impact a highway downstream.

#### **4.23 SURFACE WATER QUALITY**

4.23.1 Preservation of water quality is a significant consideration in reviewing any development proposal adjacent to any lake or stream. Septic systems shall be located at least 30 metres from the high water mark of the waterbody unless increased setbacks are required in accordance with section 5.2.4.4 of this Plan.

4.23.2 As a condition of development approval, the existing natural shoreline vegetation shall be preserved within 20 metres of the shoreline of a lake or stream wherever possible except for the removal of hazardous trees and a limited area to allow a pathway to the shoreline.

4.23.3 Council will encourage the analysis of surface water impact on a watershed basis. Where proponents of development are required to prepare reports to address water quality impacts, consideration must be given to the downstream impacts of the development and the cumulative impacts of development on water quality.

4.23.4 Where development would result in a significant increase in storm water run-off, the Municipality shall require the proponent to complete storm water management works that will ensure that off-site surface water quality and quantity is not adversely impacted by the development to the satisfaction of the Municipal Engineer and or the Conservation Authority. Direct outfalls to surface waters should be avoided and wherever possible developments shall utilize infiltration as a method for

storm water management. Naturalized storm water management facilities such as infiltration trenches, grassed swales and retention and reuse of storm water will be required in all new developments.

- 4.23.5 In addition to these policies, in recognition that the Municipal water supply comes from Callander Bay, the provisions of Section 4.21 shall also be considered.

#### **4.24 TRANSCANADA PIPELINES**

- 4.24.1 TransCanada Pipelines Limited operates two high pressure natural gas pipelines within its rights-of-way which cross through the Municipality and is identified on Schedule A to this Plan. Any development within 200 metres of TransCanada's facilities may affect the safety and integrity of the pipelines.

- 4.24.2 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 metres of the right-of-way such as excavations, blasting and any movement of heavy equipment. New development can result in increasing the population density in the area which may result in TransCanada being required to replace its pipeline to comply with CSA Code Z662. Therefore, the Municipality shall require early consultation with TransCanada for any development proposals within 200 metres of its facilities.

- 4.24.3 A setback of 7 metres shall be maintained from the limits of the right-of-way for all permanent structures and excavations. A reduction in the 7 metre setback will only be considered if it can be demonstrated, to TransCanada's satisfaction, that it will not compromise the safety and integrity of the pipeline and if all necessary municipal approvals are obtained.

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

#### **4.25 TRANSPORTATION**

- 4.25.1 All proposed development adjacent to or in proximity to a provincial highway is subject to the safety and geometric requirements and permits of the Ministry of Transportation.

4.25.2 New development in close proximity to transportation facilities shall be designed to meet Ministry of Environment Guidelines related to noise. Specific reference should be made to MOE publication LU-131, Noise Assessment Criteria in Land Use Planning.

#### **4.26 WATER TAKING AND SOURCE PROTECTION**

4.26.1 It is the Municipality's objective to be involved in the process of approving and considering applications that involve commercial water taking for the purpose of resale of water as a commercial use. It is also Council's goal to ensure that a process is established whereby landowners in the vicinity of proposed water taking are informed of a proposed taking and given an opportunity to comment on the proposal.

4.26.2 It is recognized that the approval of all applications for water taking rests with the Ministry of Environment, in accordance with the *Ontario Water Resources Act*, as amended. The taking of more than 50,000 litres of ground or surface water per day or a commercial water taking is deemed to be a land use.

4.26.3 The implementation of this policy shall occur through a Zoning By-law amendment. On this basis, the Implementing Zoning By-law shall include water taking as a land use to be regulated by the Municipality.

4.26.4 In preparing the Implementing Zoning By-law, the Municipality shall determine which type of water taking will require a rezoning and under what conditions such a zoning change could be granted. If a water taking requires a rezoning Council shall be satisfied that at a minimum:

- a) the quality of groundwater and surface water in the area will be maintained and, where possible, improved or restored;
- b) the quantity of water available for other uses in the area and that base flow for rivers and streams, wetlands and other waterbodies in the watershed will not be affected; and,
- c) the taking of water does not preclude other developments in the area envisioned by this Plan.

4.26.5 As a condition of approval, Council may also require the proponent to enter into a monitoring program and financial assurance agreement to ensure that Council has the ability to ensure that neighbouring drinking water supplies are not affected by the extraction. If it is deemed that the extraction is having a negative impact on the quality and/or overall quantity of water available in the area, Council will have the ability,

pursuant to the monitoring and financial assurance agreement, to require the water extraction to decrease or cease or require mitigative measures be undertaken.

4.26.6 As part of its commitment to source water protection, the Municipality may establish a Source Water Protection Program to protect the ground and surface water systems in the Municipality. The program may include a number of initiatives including but not limited to the following:

- a) A co-operative program with property owners may be established to limit fertilizer and pesticide applications, manage natural areas and grass cover and replacement, replace and/or upgrade heating oil storage tanks, limit vehicle repair and maintenance, and better manage residential fuel and chemical storage;
- b) Reduction or the elimination of roadside salt use within areas that may impact surface or groundwater;
- c) Reduction or the elimination of fertilizer and pesticide use on public lands;
- d) Develop a spills action plan; and
- e) Develop a regular sewage system re-inspection program.

#### **4.27 WAYSIDE PITS AND QUARRIES**

4.27.1 Wayside pits and quarries will be defined in the Implementing Zoning By-law(s) in accordance with Provincial policy. Wayside pits and/or quarries are temporary excavations made for the removal of sand or gravel or bedrock aggregate and are opened and used by a public road authority (or its authorized contractor) for the purpose of a particular project or contract of road construction.

4.27.2 Wayside pits and quarries, as well as portable asphalt and concrete plants used on public authority contracts shall be permitted in all land use designations without amendment to this Plan or the Zoning By-law, or development permit except on lands within the Callander Settlement Area, and lands designated Shoreline Area and Environmental Protection Area, or lands adjacent to existing or proposed residential development, and not within 300 metres of any lakes or watercourses as these areas have been determined to be incompatible with extraction and associated activities.



## **4.28 WETLANDS**

- 4.28.1 There is one very large provincially significant wetland along the north shore of Callander Bay within the Municipality which is designated Environmental Protection on Schedule A. This area is to be protected and maintained in a natural state. Development and site alteration is not permitted in this significant wetland or within 30m of the limit of this wetland.
- 4.28.2 Development and site alteration generally shall not be permitted on lands adjacent to a provincially significant wetland. Where development is proposed within 120 meters of a provincially significant wetland, the proponent shall submit an Environmental Impact Assessment Report identifying and evaluating the ecological function of the adjacent lands. Development may be permitted if it has been demonstrated to the Conservation Authority and Council that there will be no negative impacts on the natural features or their ecological functions of the adjacent wetlands.
- 4.28.3 Where studies support the identification of additional provincially significant wetlands after this Plan is adopted, Schedule B and the implementing Zoning By-law will be modified to illustrate those wetlands. Development and site alteration is not permitted in a provincially significant wetland.
- 4.28.4 Locally significant wetlands are shown as Locally Significant Wetlands on Schedule B. Wherever possible these areas should be left in their natural state.
- 4.28.5 Development and site alteration generally shall not be permitted on adjacent lands of a locally significant wetland. Where development is proposed within 30 meters of a locally significant wetland, the proponent shall submit an Environmental Impact Assessment Report identifying and evaluating the ecological function of the adjacent lands. Development may be permitted if it has been demonstrated to the Conservation Authority and Council that there will be no negative impacts on the natural features or their ecological functions.
- 4.28.6 Where it can be demonstrated to the satisfaction of Council and the Conservation Authority that there is no reasonable alternative for the logical development of lands other than to develop a portion of lands within 30m a locally significant wetland, the Municipality will impose site plan control to ensure that the appropriate mitigation measures are employed to minimize the impact on the wetland.

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## 5.0 RURAL AREA DESIGNATIONS

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The policies in this Section of the Plan should be read in conjunction with Schedule A, the Land Use Plan. These policies apply to specific designations of lands shown on Schedule A. Prior to the lands being used in accordance with the policies in this Section of the Plan, consideration shall be given to the General Development Policies in Section 4.

### 5.1 RURAL AREA

The Rural Area designation is identified on Schedule “A” and Schedule “A-1” and includes those private lands within the corporate limits of the Municipality outside the Callander Settlement Area. The Rural Area designation accommodates a range of uses including agriculture, forestry, linear open space, rural residential, small-scale commercial and industrial operations. Over the lifetime of this Plan, the Rural Area will experience limited development to maintain its rural and resource character and preserve the natural environment.

#### 5.1.1 Objectives

The objectives of the Rural Area designation are to:

- a) encourage the preservation of lands for agricultural uses (where designated); (OPA 02-2023)
- b) minimize the impacts of development on existing agricultural operations;
- c) integrate agriculture, forestry, open space, and aggregate and mining uses in a satisfactory manner;
- d) encourage the preservation of present and future linear trail systems for the benefit of the residents and visitors to the Municipality;
- e) recognize existing aggregate extraction uses and permit new or expansions to existing sand and gravel aggregate operations and to protect existing operations from incompatible uses;
- f) recognize existing waste management facilities and require new facilities to amend the Official Plan and Zoning By-law;

- g) recognize existing rural residential uses and permit limited new rural residential development in accordance with the policies of this Plan;
- h) recognize existing small-scale commercial, industrial, and institutional uses, and to permit limited new development in accordance with the policies of this Plan; and,
- i) buffer adjacent lands and uses from the potential negative impact of the uses permitted within the Rural designation.

### 5.1.2 Permitted Uses

Permitted uses in the Rural Area designation include:

- a) agriculture uses;
  - b) bed and breakfast operations;
  - c) forestry;
  - d) home occupations and home Industries are also permitted subject to the policies of this Plan;
  - e) linear open space trails;
  - f) mineral exploration and development;
  - g) minor institutional uses;
  - h) sand and gravel extraction operations;
  - i) single detached residential dwellings;
  - j) small-scale commercial and industrial operations; and
- water or resource management activities.

### 5.1.3 Residential Uses

- 5.1.3.1 Limited new permanent residential development shall be encouraged to locate in the Rural Area designation in accordance with the Growth Management policies of this Plan. New lots shall be located in close proximity to other residential uses as infilling on existing roadways where school busing and municipal winter maintenance is presently being provided. Scattered or isolated development that would result in an increase in municipal servicing costs shall be discouraged.

- 5.1.3.2 Lots should have a minimum lot size of 1.0 hectares (2.47 acres) and be serviced by hard surfaced roadways. Development on cul-de-sacs and dead-end roads should be avoided wherever practical.
- 5.1.3.3 The creation of new lots shall comply with the minimum distance separation formulae and the policies outlined in Section 6.0 Land Division.
- 5.1.3.4 Prior to creating rural residential lots, Council shall be satisfied that there is a demonstrated need for the development in order to meet the housing demand in the Municipality and that there is a justifiable reason for this form of development occurring outside of the settlement area.
- 5.1.4 Resource Extraction**
- 5.1.4.1 Forestry operations are encouraged to follow sound forest management practices and shall be set back from all shorelines an appropriate distance so that clearing and cutting operations do not impact the visual quality and character of the shoreline. Clear cutting shall be prohibited within 500 metres of Callander Bay, unless carried out in accordance with sound forest management practices, and maintaining appropriate vegetation buffers.
- 5.1.4.2 The establishment of new sand and gravel aggregate operations or the expansion of existing operations shall be subject to the policies of Section 5.5 of this Plan, and shall require an Amendment to the Zoning By-law. Extractive uses shall also be subject to Site Plan Control where there is a need to address site development issues not covered under the Aggregate Resources Act.
- 5.1.4.3 Within the Rural Area designation there is considerable land that has moderate to high potential for mineral exploration and development. The Rural Area designation permits the exploration, development, production and closure of mineral and ore mines subject to the applicable regulations of the Mining Act or other pertinent legislation. Amendments to the Official Plan and Zoning By-law shall be required for new mines. Interim uses of these lands are permitted, where the use is compatible with the eventual use and development of the lands for mining uses. Interim uses include agriculture, forestry, or passive recreation uses. Resource extraction is subject to the policies in Section 4.17.

## 5.1.5 Institutional and Employment Uses

It is a general policy of this Plan that community service and institutional uses shall be directed to the Callander Settlement Area. However, new minor institutional uses may be permitted in the Rural designation subject to an Amendment to the Implementing Zoning By-law. Minor institutional uses may include churches, places of worship, community centres, clubs, but shall not include recreational camps.

5.1.5.1 It is also a policy of this Plan that existing employment uses (industrial, commercial, institutional) shall be permitted and shall be appropriately zoned by the implementing Zoning By-law. It is also a policy of this Plan to encourage and permit the growth and expansion of these existing uses subject to the provision of adequate services, appropriate road access, and meeting the MOE D series guidelines.

5.1.5.2 Small-scale commercial and light industrial uses may be permitted by Amendment to the Zoning By-law where the use has a low traffic generation, no nuisance effects on surrounding areas, a scale consistent with existing uses, and minimal environmental impact.

Before considering an Amendment to the Zoning By-law, Council shall be satisfied that:

- a) the size of the proposed institutional, commercial or light industrial use is appropriate for the area;
- b) the building housing the use is set back an appropriate distance from adjacent uses and from lot lines;
- c) the use is located at least 500 metres (1640 feet) from lands within the Callander Settlement Area and Shoreline Residential Area designation;
- d) any noise emanating from the use will not have an adverse impact on the enjoyment or use of adjacent properties;
- e) an appropriate servicing and stormwater management plan is established and put in place;
- f) for institutional uses, the location in the Rural Area is necessary for the use;
- g) for employment uses, the use is required to be located in the Rural area and is not more appropriately located in the Employment Area within the Callander Settlement Area; and,

- h) for employment uses, outside storage will be appropriately screened and buffered from adjacent uses.

5.1.5.3 New golf courses or expansions of existing golf courses that will add lands not presently within the development envelope shall require an Amendment to the Zoning By-law.

5.1.5.4 Institutional and employment uses shall be subject to Site Plan Control.

## **5.1.6 Minimum Distance Separation**

5.1.6.1 All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

## **5.2 SHORELINE AREA**

The Shoreline Area designation recognizes the areas of existing or future development adjacent to Lake Nipissing.

### **5.2.1 Objectives**

The objectives of the Shoreline Area designation are to:

- a) identify the ecosystem and community that is physically, functionally and socially focused on the lakes and rivers in the Municipality;
- b) ensure that the water quality of Lake Nipissing is maintained or improved;
- c) preserve the visual qualities that attract people to the waterfront;
- d) maintain and protect the character of the shoreline residential areas;
- e) protect the natural features of the Shoreline Area and the immediate shoreline including fish habitat; and,
- f) to establish specific development guidelines for Callander Bay to address water quality issues.

### **5.2.2 Permitted Uses**

Permitted uses in the Shoreline Area designation include:

- a) low density residential uses;
- b) parkland and natural areas;
- c) recreational and tourist commercial uses including recreational camps; and,
- d) small-scale industrial and commercial uses directly servicing the waterfront community.

### **5.2.3 Residential Uses**

- 5.2.3.1 Many of the dwellings in the Shoreline Area described above were designed for seasonal occupancy and as a result, may be serviced by septic systems that are not designed in accordance with current standards. Conversions of seasonal dwellings to permanent use or reconstruction of dwellings that result in an increase in the gross floor area of 25 percent or more shall be considered as new residential development.
- 5.2.3.2 Given that many of the dwellings in the Shoreline Area are occupied on a year-round basis and that many are serviced by municipal roads that are maintained on a year-round basis, it is the intent of this Plan that the implementing Zoning By-law will permit both seasonal and permanent occupancy in these areas.
- 5.2.3.3 The intent of this Plan is to ensure that existing septic systems in these areas shall be upgraded to current standards utilizing phosphate removing technology and that an appropriate water supply is available for each dwelling unit. Holding tanks will not be permitted for new development or re-development.
- 5.2.3.4 The Zoning By-law will establish a minimum 30 metre setback between septic systems and water courses. In “emergency” situations, on existing lots containing development, existing on-site subsurface sewage disposal tile beds less than 30 metres (98.43 feet) setback, may be replaced provided the replacement system is no closer to the shoreline and is not increased in size to accommodate additional development. For the purposes of this section, an “emergency” situation is defined as a failed or failing septic system as determined by the Nort Bay-Matawa Conservation Authority. (OPA 02-2023)
- 5.2.3.5 A sewage system re-inspection program will be encouraged in the Shoreline Area of the Municipality. The intent of such a program would be to identify areas of concern, conduct an inspection of systems in these areas and implement a program to repair faulty septic systems that may have an impact on public health. Such repairs would be carried out at the owner’s expense. It would not be the intent of such a re-inspection

program to require landowners to upgrade their system to current standards if there is no physical evidence at the time of the re- inspection that the system has a negative impact on public health.

- 5.2.3.6 Prior to the issuance of a Building Permit for the above noted improvements the Municipality shall require confirmation that the well servicing the dwelling, if there is a well supplying water to the dwelling, is located on the same lot as the dwelling. If the well servicing the dwelling is not located on the same lot, legal access to the water supply from another lot shall be required.
- 5.2.3.7 New residential development shall consist primarily of single detached dwellings on separate lots. New lots should have at least 100 metres of shoreline frontage and should have a lot area of 1.0 ha. Larger lots may be required in areas where environmental or physical constraints exist on the lands or sensitive fish habitat. All development on islands and water access lots should have a frontage of 100 metres and should have an area of 1.0 hectares. Reduced frontage can be considered where it is appropriate, based on compatibility of the area and the adjacent land uses/lot sizes and any environmental or physical constraints. (OPA 02-2023)
- 5.2.3.8 New multiple residential development including condominium, time-share, fractional ownership and developments that combine residential and commercial uses shall require an Amendment to this Plan.
- 5.2.3.9 All new development including conversions from seasonal to permanent use shall utilize sewage disposal systems in accordance with section 5.2.4.4 that will significantly reduce or prevent the migration of phosphorus and nitrogen into the adjacent waterbody.
- 5.2.3.10 Residential development may take the form of cluster developments where the residential development is set back from the waterfront and the waterfront area is maintained as open space for the use of abutting landowners. In such instances there shall be a minimum frontage of 20 metres (66 feet) of frontage on the waterbody per unit and a maximum of 2.5 units per gross hectare (1 unit per acre). This development shall occur by Plan of Subdivision or Condominium, which would require an Amendment to this Plan. (OPA 02-2023)

## **5.2.4 Limits of Shoreline Development**

- 5.2.4.1 It is the intent of this Plan that new development in the Shoreline Area be directed to lands that are physically suitable for development in their natural state in an effort to maintain the area's unique character. Creating lands that are suitable for development by blasting or filling the natural landscape or dredging the lake bottom shall not be permitted.



- 5.2.4.2 New residential development in the Shoreline Area designation shall be limited to small-scale subdivisions, condominium or minor infilling by consent to sever.
- 5.2.4.3 Applications for development within the Shoreline Area designation will be evaluated and based on the submission of a Site Evaluation Report which shall provide the following information:
- a) Sufficient information about the nature of the lands, the development proposal, and potential impacts on water quality in accordance with Section 4.2 (Water Quality) of this Plan;
  - b) Site specific information such as a description of the lands, location, slope and soil characteristics, vegetation, drainage, erosion and flooding characteristics;
  - c) Description of the larger area around the site, detailing the surrounding land use and environment;
  - d) Environmentally sensitive areas shall be identified and analyzed, including wetlands, significant fish habitat, and wildlife habitat;
  - e) Potential impacts of the development should be identified including lake water quality impacts, storm water quality and quantity impacts, erosion, vegetation, habitat, shoreline and visual/aesthetic impacts;
  - f) The Site Evaluation Report shall assess the constraints to development and address how the constraints can be managed or mitigated effectively through the utilization of appropriate development control techniques including site plan control;
  - g) The report shall also address the appropriateness of the proposed development and its ability to satisfy the principles and goals of this Plan; and,
  - h) The Municipality may develop and approve guidelines or “Terms of Reference” for the preparation of Site Evaluation Reports and all reports shall be prepared in accordance with the approved guidelines/terms of reference.
- 5.2.4.4 Callander Bay is considered over-capacity from a biological water quality perspective. Development on Callander Bay and adjacent to the Wasi River shall only be permitted where the following conditions may exist and development may occur:
- a) The severance is to separate existing habitable dwellings, each of which has a separate septic system, provided that the land use would not change; or

- b) All new tile fields are set back at least 300 metres from the shoreline of Callander Bay and the Wasi River; or
- c) Where a site-specific soils investigation prepared by a qualified professional demonstrates that phosphorous can be retained in soils on-site. A site-specific soils investigation prepared by a qualified professional is required showing the following site conditions:
- 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, consists of deep (more than three metres), native and undisturbed, non-calcareous (<1% CaCO<sup>3</sup> equivalent by weight) overburden with acid-extractable concentrations of iron and aluminium of >1% equivalent by weight. Soil depth shall be assessed with test pits and boreholes at several sites. Samples for soils chemistry and grain size should be taken at a depth adjacent to, or below, the proposed tile bed; and
  - 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. spring, following snowmelt or late fall).
- d) For development that is permitted as per (a), (b) or (c) above, agreements pursuant to the Planning Act will be registered on title to ensure the following for each lot created:
- If additional fill material is required when constructing the tile bed for the sewage disposal system to meet the requirements of the Ontario Building Code (i.e. percolation test), it shall consist of silt free, fine to medium-grained non-calcareous soils (sediments; <1% CaCO<sup>3</sup> equivalent by weight) with acid-extractable concentration of >1% equivalent by weight;
  - Design of the septic system shall include a pump-dosing or equivalent technology to uniformly distribute septic effluent over the tile bed;
  - Provision of a 30 metre minimum undisturbed shoreline buffer and soils mantle with the exception of a pervious pathway;
  - Preparation of a stormwater management report and a construction mitigation plan (including phosphorus

attenuation measures such as directing runoff and overland drainage from driveways, parking areas, other hard surfaces to soak away pits, infiltration facilities, vegetated filter strips and/or beds; and,

- Location of the tile bed in accordance with the recommendations of the site-specific soils investigation.

## **5.2.5 Commercial Uses**

5.2.5.1 It is the intent of this Plan to provide for the continuation of existing tourist establishments and resort commercial uses and, wherever possible, to allow the further development of this component of the local economic base in keeping with changing lifestyles and leisure activities.

5.2.5.2 The resort commercial uses permitted in the Shoreline Area designation shall be limited to tourist establishments and resorts, or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis. These uses include tent and trailer camps, rental cabins and housekeeping cottages, lodges, motels, marinas or other similar recreational commercial uses. Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the resort commercial use shall also be permitted. Residential accommodation shall also be permitted for the accommodation of the owner or caretaker or other similar personal and staff members.

## **5.2.6 Resort Commercial Uses**

5.2.6.1 When considering proposals to expand existing operations or develop new resort commercial uses, the following policies shall be considered:

- a) Regard shall be had for the layout and design of resort commercial areas such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic;
- b) It is the intent of this Plan to ensure increased setbacks of large scale development from the shoreline. Setbacks for buildings, structures and uses requiring proximity to the water such as docks, boat houses, marina service facilities and water pumping equipment shall be identified in the Zoning By-law;
- c) An application for development of a resort commercial use which

requires an Amendment to the implementing Zoning By-law shall be accompanied by a detailed hydrogeological report with respect to the adequacy of groundwater supplies and the ability of the soils to sustain development on the basis of private services. All private water supply and effluent treatment systems shall be installed in accordance with the authority responsible for their approval. Sewage treatment systems shall require tertiary treatment to remove phosphorous and nitrogen;

- d) Regard shall be had for the physical suitability of the site, the adequacy of vegetative cover, the location of the proposed site relative to the land use policies and designations contained in this Plan; and,
- e) The provision of adequate setbacks, buffer planting and landscaped open space, the design and location of off-street parking facilities and access points, and the location of signs and outdoor lighting so as to provide for a reasonable degree of compatibility with adjacent land uses.

## **5.2.7 Site Plan**

- 5.2.7.1 An application for an Amendment to this Plan or the implementing Zoning By-law to allow for the development of a resort commercial use shall be accompanied by a site plan prepared in accordance with the site plan provisions of this Plan.

## **5.2.8 Tourist Commercial Uses**

- 5.2.8.1 Tourist Commercial developments may be permitted on the basis of 6 metres (20 feet) per accommodation unit frontage on the waterbody and a maximum density that does not exceed 10 units per hectare (4 units per acre) where a unit is defined as a rental cottage or a camp site, or room in a hotel, motel, lodge or similar arrangement of units.
- 5.2.8.2 Densities up to 25 percent in excess of these requirements may be permitted through an Amendment to the Zoning By-law subject to the developer entering into a Site Plan Agreement with the Municipality that ensures the development of additional facilities such as a golf course, swimming pools or other significant land based recreational facilities.
- 5.2.8.3 Conversion of existing tourist commercial uses to residential uses is discouraged. Prior to considering an application to amend the Zoning By-law to permit residential uses, including fractional ownership and time-share uses Council shall be satisfied that the change in use has a positive long-term impact on the economy and the environment and the

surrounding area.

## **5.2.9 Fractional Ownership**

5.2.9.1 Densities permitted for developments based on fractional ownership shall be based on the nature and built form of the development. Developments in the form of individual cottages shall meet the frontage and density requirements for residential uses. Developments in the form of tourist resorts utilizing multiple unit buildings with communal facilities and commercial services shall be based on the policies for tourist commercial developments.

## **5.2.10 Undeveloped Land**

5.2.10.1 The Shoreline Area designation includes lands that are still in a natural state and are primarily undeveloped. The inclusion of these lands in the Shoreline Area designation does not imply that all of these lands will ultimately be developed for residential or commercial uses. However, this Plan will ensure that the future use of these lands is consistent with the objectives of the Shoreline Area designation.

## **5.2.11 Waterfront Design**

5.2.11.1 Waterfront Design policies address the complex relationships between all of the elements of built form, the natural environment and the lake environment, and focuses on:

- a) the connections between people and these places;
- b) the relationship between buildings and the lake, natural areas and vegetative buffers, and other uses;
- c) the lake as public domain; and,
- d) the processes for ensuring successful lakeshore communities.

5.2.11.2 It is anticipated that the Municipality's waterfront may see significant growth and change during the life of this Plan. In order to ensure that the waterfront areas evolve in a manner that enhances the quality of waterfront life, it is the desire of Council to create and encourage a high quality of built form that is sensitive to the Municipality's lake heritage and relates to the principles listed above. On this basis, the following are objectives of this Plan relating to waterfront design:

- a) to improve the aesthetic quality of the Municipality's waterfront built form, and promote development which is based on good design principles and standards that reflect the goals,

objectives, and policies of this Plan;

- b) to enhance the unique character of the Municipality's waterfront areas by encouraging high quality design that is complementary and compatible with existing development, the Municipality's natural heritage, and which fosters a strong sense of place;
- c) to exercise appropriate municipal development control in order to achieve a consistently high quality of site, building and landscape design;
- d) to be sensitive to the impact of light and sound on the lakeshore environment; and,
- e) protect significant natural heritage values and ecological functions.

### **5.2.12 Waterfront Building Design**

5.2.12.1 The design of new buildings should achieve a complementary design relationship to existing buildings, while accommodating a diversity of architectural styles, building materials, subdued lighting, energy conservation techniques and innovative built forms.

5.2.12.2 The design of all buildings shall have regard to appropriate setbacks and the protection or provision of vegetative buffers along the lakefront. Buildings should be massed to recognize appropriate scale and provide an appropriate building height at the waterfront and be architecturally articulated to provide visual variety and interest. Generally, building articulation features such as canopies, decks, and varying facade materials and setbacks should be used to reinforce a lake friendly scale.

5.2.12.3 Buildings in the Shoreline Area will be designed and constructed to blend in to the natural environment. Council may adopt Design Guidelines for the Shoreline Area that will include architectural details and landscape elements that will implement the policies of this Plan. The Zoning By-law implementing this Official Plan will include regulations that will:

- a) limit lot coverage up to a maximum of 10 percent of the lot area within the front 60 metres of the lot, and impose total coverage regulations which may be less than permissible lot coverage;
- b) limit the size of the waterfront dwellings based on the height of the dwelling;
- c) limit the expansion and additions to existing dwellings where the building does not comply with the By-law performance standards

- including shoreline setbacks;
  - d) limit the height of buildings within the front 60 metres of a lot to ensure that the building height does not intercept the natural tree line when viewed from the water;
  - e) limit the size of docks to a maximum percent of the shoreline frontage of the lot or a defined size, whichever is greater;
  - f) boathouses, which include boat ports, may be permitted as established by the implementing Zoning By-law which will specify:
    - i) minimum lot frontage standards to permit boathouses including boat ports;
    - ii) maximum height and width standards;
    - iii) maximum size of boathouses.
  - g) Width, height and setback standards in the implementing Zoning By-law will limit the visual impact of boathouses on adjacent lands and on the natural quality of the shoreline.
- 5.2.12.4 Council will require site plan approval for all new development in the Shoreline Areas.
- 5.2.13 Waterfront Vegetation Natural Area Design and Tree Preservation**
- 5.2.13.1 Natural features shall dominate the shoreline. Lands fronting onto Callander Bay will require that up to 90 percent of the front 20 metres of a lot be maintained in a natural vegetative state. On the remainder of Lake Nipissing a 15 metre wide vegetative buffer shall be provided adjacent to the shoreline.
- 5.2.13.2 Vegetation buffers and landscaping are a major contributor to a quality lakefront. A high quality of natural area preservation and landscape design will be required to enhance the visual aesthetics of development and to enhance the site and waterfront compatibility.
- 5.2.13.3 Landscaping utilizing natural vegetation and indigenous species only shall be used to screen or buffer development from adjacent uses, and mitigate the visual impact of the development, where necessary.
- 5.2.13.4 Landscape materials shall be selected for their ecological characteristics. Native species are encouraged, and invasive species or species requiring use of pesticides, herbicides and fertilizers shall be discouraged.
- 5.2.13.5 Landscaping can play an important role in delineating a site's side yards

and often provides a visual break. Existing natural areas between uses should be preserved wherever possible.

5.2.13.6 Significant treed areas on a development site shall generally be preserved, maintained and integrated into the new landscape design.

5.2.13.7 Landscaping requirements shall be implemented through Site Plan Control and shall be included in Waterfront Design Guidelines when they are prepared.

## **5.2.14 Waterfront and Adjacent Development**

5.2.14.1 Non-residential buildings higher than two storeys should be designed to minimize overlook conditions particularly if located adjacent to existing residential dwellings. Massing strategies such as stepping down towards buildings of lower height should be employed to minimize impacts.

5.2.14.2 Development on private lands shall be designed with the intent of recognizing the relationship between the public realm and adjacent land uses.

5.2.14.3 Noise generating activities should be located away from sensitive land uses, such as residential areas and waterfront areas, and buffered as necessary.

5.2.14.4 Lighting shall be designed to minimize light trespass onto adjacent lands and the water.

5.2.14.5 When a non-residential development is located adjacent to existing or planned residential areas, sufficient building setbacks should be provided to minimize potential height and massing impacts such as shadowing and high wind speeds. Site Plan applications may be required to submit wind and/or shadow studies to address such potential conditions.

5.2.14.6 Landscaping plays an important role in buffering potential negative effects. There should be a wide and generously-planted landscape strip using a combination of deciduous and coniferous trees; as well as opaque fencing with noise attenuation properties where required, along the property line abutting existing residential development.

5.2.14.7 When a non-residential development abuts a street with a residential use on the opposite side, the frontage should be treated with a wide landscaped strip.

5.2.14.8 On large sites, efforts should be made to encourage pedestrian linkages between uses and adjacent sites.



### **5.3 ENVIRONMENTAL PROTECTION AREA**

The Environmental Protection Area designation comprises land and water areas containing natural features or ecological functions of Provincial and local significance as identified by the Province, Conservation Authority or the Municipality. These lands possess physical characteristics, which would cause severe property damage or loss of life if development was permitted. The physical characteristics include flood and erosion susceptibility, organic soils and extreme slopes. The areas also include significant wildlife habitat, fish habitat and wetlands. The hazard areas and environmentally sensitive areas are combined in this designation to define lands that should not be developed. The North Bay Mattawa Conservation Authority has jurisdiction over many of these areas.

#### **5.3.1 Objectives**

The objectives of the Environmental Protection Area designation are to:

- a) preserve and protect identified wetlands both for the values as wetlands and to preserve and protect associated habitat;
- b) preserve watercourses and locally significant environmental features;
- c) preserve areas that contain hazardous lands such as steep slopes and lands prone to flooding and unstable soils;
- d) preserve and enhance the quality and quantity of ground and surface water; and,
- e) preserve and enhance areas of sensitive fish habitat;
- f) preserve and enhance areas of significant habitat of endangered species and threatened species and significant wildlife habitat; and,
- g) restrict the alteration of the physical and/or biological features of lands designated Environmental Protection Area.

#### **5.3.2 Permitted Uses**

Permitted uses in the Environmental Protection designation include the following, in accordance with the other policies of this Plan:

- a) archaeological activities;

- b) forestry and resource management uses where undertaken in a manner that minimizes any potential impact on the natural features and functions of the area;
- c) passive recreational uses, such as nature viewing and pedestrian trail activities;
- d) snowmobile and biking trails; and,
- e) watershed management and flood and erosion control projects carried out or supervised by a public agency;.

### **5.3.3 Natural Heritage Features**

- 5.3.3.1 Policies in this section shall be read in conjunction with policies about specific types of Natural Heritage Features, namely Deer Wintering Area (4.7), Sensitive Fish Habitat (4.20) and Wetlands (4.28).
- 5.3.3.2 Any proposed alteration to an Environmental Protection Area shall be supported by appropriate justification in the form of an Environmental Impact Assessment in accordance with Section 4.9.
- 5.3.3.2 Not all of the natural heritage features in the Municipality have been designated Environmental Protection Area or incorporated on the Land Use Schedules at the date of the adoption of this Plan. As new information becomes available, additional lands may be incorporated into the Environmental Protection Area designation as part of the five- year review or as an Amendment to the Official Plan required by the *Planning Act*.
- 5.3.3.3 It is essential that Environmental Protection Areas be protected from future development to preserve the Municipality's natural environment. As such, an application for the redesignation of an area of private lands designated Environmental Protection Area, may be given due consideration only if it is established to the satisfaction of Council through an Environmental Impact Study and a peer review confirming that the lands are not part of the environmental feature and that any development proposed will have no negative impact on the environmental feature or function of the area. The scale and the content of the required studies shall be determined at the time the development is proposed.
- 5.3.3.4 Nothing in this Official Plan shall be construed to imply that Environmental Protection Area lands are free and open to the general public or that such areas will be purchased by the Municipality or any other public agency.

5.3.3.5 Adjacent lands are the lands adjacent to a natural heritage feature within which potential impacts of a development proposal must be considered. For the purposes of this Official Plan, adjacent lands are defined as all lands within:

- a) 120 metres of the boundary of a Provincially Significant Wetland or unclassified wetland in excess of 0.8 ha;
- b) 30 metres of the boundary of other wetlands;
- c) 30 metres of any watercourse;
- d) 50 metres from the boundary of a Provincially or Regionally Significant Area of Natural and Scientific Interest;
- e) 50 metres from the habitat of an endangered or threatened species;
- f) 50 metres from the boundary of a significant fish habitat area; and,
- g) 50 metres from the boundary of a significant wildlife habitat.

The width of the adjacent lands may be increased/decreased, depending on the feature and the nature of the proposed development.

5.3.3.6 The boundaries of the Environmental Protection Area designation are delineated in a conceptual manner on Schedule A and A-1 to this Plan. The extent and exact location of the boundaries are intended to be delineated in the Implementing Zoning By-law in accordance with detailed mapping provided by the Province or as produced by the Municipality, and will not require an Amendment to this Plan. Such lands will be placed in appropriate environmental zones in the Implementing Zoning By-law. The precise boundary of any Environmental Protection Area shall be determined as a component of the required Environmental Impact Study.

5.3.3.7 The Zoning By-law shall incorporate general setbacks for lot lines, buildings, structures, parking areas and other similar facilities from lands designated Environmental Protection Area in relation to the extent and severity of the hazard or natural environmental features and ecological functions of the area. The Municipality will evaluate this general setback for specific development applications, and as established in the Zoning By-law, to provide the appropriate setback required to protect the area from the impacts of construction. A greater setback may be required to reflect specific circumstances.

#### **5.3.4 Hazard Lands**

- 5.3.4.1 Hazard lands are those lands with flood and erosion susceptibility, steep slopes, ravines and organic soils. These areas will not be developed unless it can be demonstrated to the satisfaction of the Municipality and/or the Conservation Authority, and in accordance with the Provincial guidelines, that the hazard no longer exists or that development can occur without potential threat to life, property or the environment. Hazard land areas are indicated on Schedule B and are designated Environmental Protection Area on Schedule A.
- 5.3.4.2 In the case of flood plains, a study should be prepared by a qualified hydrological engineer to determine the evaluation and extent of the flood plain and the potential impact of new development on the flood elevation and flow velocities.
- 5.3.4.3 In order to protect life and property, new structural development below identified flood elevations except for docks, boathouses, hydro-electric facilities and flood or erosion control structures will not be permitted. The Municipality will not support the placement or removal of fill below such elevations unless a site-specific report by a qualified engineer has demonstrated to Council and the Conservation Authority's satisfaction that there will not be significant impacts on up-stream or down-stream lands.
- 5.3.4.4 The implementing Zoning By-law will identify specific floodplain elevations in the Municipality where this information is available. In addition, conditions may be placed on the creation of new lots requiring site-specific zones to provide elevations and setbacks to ensure adequate flood protection utilizing a one-zone floodway in which no new development shall be permitted.
- 5.3.4.5 Council may consider permitting development below the identified regulatory flood elevation where a supporting engineering flood plain study or report is submitted addressing such items as fetch, wind setup, wave uprush, and potential ice damage. The flood plain study shall be prepared and stamped by a qualified professional in the relevant field and shall have regard to all federal and Provincial legislation, policies and guidelines and best management practices within the field. The study may be the subject of a peer review.
- 5.3.4.6 Minor alterations to the boundaries of the hazard lands resulting from some more detailed mapping, which are implemented in the Zoning By-law, will not require an Amendment to this Plan provided the general intent of this Plan is maintained. Existing detailed mapping, regulatory flood elevations, and setback requirements will be placed in the Zoning By-law and amended as new mapping becomes available.

5.3.4.7 It shall be the policy of this Plan to impose building setbacks from the hazard lands, the established flood elevations, and erosion hazards in the Implementing Zoning By-law in relation to the extent and severity of the existing or potential hazard. It shall also be a policy of this Plan that the removal or placing of fill in flood plain areas is prohibited. In addition, new structures, which require by necessity to be located adjacent to the water, may be permitted subject to the provisions and performance standards of the Zoning By-law. Major new structures or major expansions to existing structures which by their nature must be located adjacent to the water, such as docks, may require the submission of a Flood Plain Study to determine the appropriateness of the structure and to ensure that no impacts occur to adjacent lands and structures.

5.3.4.8 Renovation of existing buildings located in these areas may be permitted provided the structure is flood-proofed to the highest practical extent to the satisfaction of the Municipality and erosion control mechanisms have been instituted on the property.

- a) Development in areas of steep slopes and ravines can be hazardous to structures as well as the visual integrity of the landscape.
- b) Where development is proposed on slopes greater than 20 percent existing vegetation must be substantially retained. If vegetation cannot be substantially maintained, a Site Evaluation Report and Geo-technical report shall be completed and submitted to the Municipality, to the satisfaction of the Conservation Authority and the Municipality and the recommendations implemented in the development approval process.
- c) Where development is proposed on slopes 40 percent or greater, a Site Evaluation Report and Geotechnical Report will be required.
- d) Development on Steep Slopes or Ravines shall be subject to Site Plan Control.

## 5.4 OPEN SPACE AND PARKLAND

The Open Space and Parkland designation identifies conservation areas, linear trail corridors, golf courses, marinas and established parks that contribute to the economic base of the Municipality.

#### **5.4.1 Objectives**

The objectives of the Open Space and Parkland designation are to:

- a) manage major open space uses in a sustainable manner;
- b) to encourage the preservation of present and future linear trail systems for the benefit of the residents and visitors to the Municipality;
- c) to participate and support, where appropriate, the initiatives of other agencies and groups in establishing or expanding interconnected linear and other recreational open space systems within the Municipality; and,
- d) provide opportunities for outdoor recreation for residents and tourists.

#### **5.4.2 Permitted Uses**

Permitted uses in the Open Space and Parkland designation include:

- a) arenas;
- b) community centres;
- c) conservation uses;
- d) forestry uses in accordance with good management practices
- e) golf courses;
- f) linear multi-use trails;
- g) marinas;
- h) passive and active recreational uses;
- i) public and private parks and facilities.

#### **5.4.3 General Policies**

- 5.4.3.1 Where the lands designated Open Space and Parkland are Crown owned, the Municipality has no planning control. The Municipality will encourage the Province of Ontario to consult with Council on all decisions with respect to the future use, development, or disposition of Crown owned lands within the Municipality.

- 5.4.3.2 The Municipality will ensure that all natural environment land uses are consistent with the environmental policies of this Plan.
- 5.4.3.3 The Municipality recognizes the significance of existing trail systems and shall endeavor to improve connectivity and preserve and protect these trail networks and major open space systems where feasible.
- 5.4.3.4 The Municipality will support and participate in, as appropriate, the initiative of other agencies and interest groups to expand and interconnect existing linear trail systems.
- 5.4.3.5 The Municipality shall consider all master plans or management plans prepared for parks and trail systems when considering all applications for development adjacent to the trail.
- 5.4.3.6 The uses of privately owned lands in the Open Space and Parkland designation include active recreational uses such as golf courses. It is a policy of this Plan that uses shall be limited to existing uses and activities and related facilities and operations.
- 5.4.3.7 The Municipality recognizes the significance of the park areas fronting on Callander Bay and shall maintain and develop the parks for recreational uses.
- 5.4.3.8 New intensive recreational uses or expansions to existing uses, such as golf courses or cross-country ski and mountain bike facilities, shall only be permitted through an Amendment to the implementing Zoning By-law. Applications for new recreational uses shall be supported by appropriate studies as required by the Municipality and shall include those studies/investigations deemed necessary by Council and other relevant agencies and shall include an Environmental Impact Study as required by this Plan.

## **5.5 AGGREGATE AND MINERAL EXTRACTIVE AREA**

The Aggregate and Mineral Extractive Area designation recognizes the existing quarry aggregate operations in the Municipality. The Aggregate and Mineral Extractive Area designation is intended to recognize these significant industrial operations to permit their continued operation and expansion and to protect them from inappropriate land uses. This Plan is based on the premise that quarry operations, in light of the long-term nature of the extraction and the potential to cause greater impacts on adjacent environments, land uses and roads, require a separate designation in the Plan. Stand alone sand and gravel operations, where no quarrying operations will occur (blasting, drilling, or breaking of consolidated rock) shall not be placed in this designation unless the owner intends to eventually commence quarrying.

### 5.5.1 Objectives

The objectives of the Aggregate and Mineral Extractive Area designation are to:

- a) recognize existing mineral aggregate quarry operations;
- b) protect known aggregate deposits for potential future extraction;
- c) ensure that new mineral aggregate operations are located where there will be no negative impact on natural heritage features and functions;
- d) ensure that aggregate operations are developed in an orderly fashion and thus not creating the necessity for major improvements to roadways over long distances;
- e) ensure that the haul routes used are appropriate;
- f) ensure that extractive activities are carried out with minimal environmental and social cost; and,
- g) minimize conflicts between incompatible land uses.

### 5.5.2 Permitted Uses

Permitted uses in the Aggregate and Mineral Extractive Area designation include:

- a) accessory office and accessory dwelling use;
- b) forestry, agriculture and resource management uses that do not preclude or interfere with the use of the lands for aggregate extraction;
- c) the establishment of permanent concrete batching plants or asphalt plants or other forms of processing on lands within the Aggregate Extraction Area designation subject to Council approval of the appropriate implementing zoning; and,
- d) the extraction of stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage.



### 5.5.3 General Policies

5.5.3.1 It is the intent of this Plan to ensure that new mineral aggregate quarry operations or expansions of existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan. All aggregate extraction operations are licensed under the Aggregate Resources Act in the Municipality.

5.5.3.2 All new mineral aggregate quarry operations and/or expansions to existing mineral aggregate quarry operations onto lands that are not designated Aggregate and Mineral Extractive Area shall require an Amendment to the Official Plan. All new sand and gravel or pit applications shall require an amendment to the Zoning By-law. All such applications shall be supported by studies that address the effect of the operation of the mineral aggregate resource use on:

- a) the natural heritage features and ecological functions on the site and in the area;
- b) nearby communities and residential uses;
- c) agricultural resources and activities;
- d) the character of the area;
- e) the quality and quantity of groundwater and surface water;
- f) the built or cultural heritage resources in the area;
- g) significant geologic formations on the site and in the area;
- h) nearby wells used for drinking water purposes;
- i) ground water recharge areas;
- j) the effect of the increased truck traffic on the natural environment and the residences in the area;
- k) the suitability of the proposed haul routes;
- l) the effect of the noise, odour, dust and vibration generated by the proposed use and the use of the haul route on adjacent land uses;
- m) how the natural features and functions on the site and in the area can be protected and/or enhanced as part of the design of the pit and/or after the pit has been progressively rehabilitated;

- n) how the impacts from the proposed pit or quarry will be mitigated in order to lessen those impacts;
- o) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed; and,
- p) the required information shall be contained in an Environmental Impact Study or other study as required by this Plan. The required studies shall assess the impacts of the proposed quarry on all lands within 1000 metres of the site or as determined by the Municipality.

5.5.3.3 In addition to the above, the required studies shall take into account the impacts from existing pits or quarries in the immediate area.

5.5.3.4 New or expanding mineral resource operations should comply with the Ministry of the Environment's D-series Guidelines and Procedure D-1-2 for separation distances related to land use compatibility and sensitive land uses. Appropriate setbacks and mitigation will be determined in accordance with technical studies completed to assess noise, vibration, dust and visual impact and in accordance with a Certificate of Approval under the Environmental Protection Act.

5.5.3.5 In considering the added impact of the new pit or quarry operation to existing known impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed quarry and existing pits or quarries on the general area.

5.5.3.6 An application for a mineral aggregate operation shall not be approved unless the applicant demonstrates that:

- a) the quality of groundwater and surface water in the area will be maintained and, where possible, improved or restored;
- b) the quantity of water available for other uses in the area and as base flow for rivers and streams will not be affected;
- c) as much of the site as possible will be rehabilitated by establishing or restoring natural self-sustaining vegetation; and,
- d) the health, diversity, size and connectivity of natural features on the site and on adjacent land will be maintained and, where possible, improved or restored.

5.5.3.7 Alternate uses of the lands in the Aggregate and Mineral Extractive Area shall not be permitted until such time as the resource is either

substantially depleted or it is shown to Council's satisfaction that it is not feasible to extract. In such cases, an Amendment to the Zoning By-law will be required to facilitate the establishment of a use that will preclude the use of these lands for mineral aggregate extraction in the future. It is the intent of this Plan that the after use be compatible with and will have minimal impact on the surrounding natural environment and existing uses.

- 5.5.3.8 The determination of the appropriate designation of the lands for an after use will be made at the time an application is submitted. Factors to be considered by Council shall include:
- a) the use of the land before the extraction commenced;
  - b) the land uses on adjacent properties;
  - c) the proximity of the lands to agricultural lands and activities;
  - d) the character of the area;
  - e) the accessibility of the property;
  - f) the recreational opportunities that the site may afford;
  - g) the opportunities that may be available to enhance natural heritage features and functions in the area; and,
  - h) the nature and cost of any long-term monitoring required on the site.
- 5.5.3.9 The progressive rehabilitation of all pits and quarries within the Municipality is required. Council will work with pit and quarry operators to establish appropriate progressive rehabilitation plans, and complete agreements with owners to ensure rehabilitation.
- 5.5.3.10 The policies of this Section with respect to aggregate extraction uses shall apply, with appropriate modifications, to mineral resource exploration and development.
- 5.5.3.11 The Implementing Zoning By-law shall place all existing mineral aggregate operations in separate zones that permits quarries and sand and gravel operations, and a zone that permits only sand and gravel extraction operations. The Implementing Zoning By-law will contain setbacks for extraction operations from adjoining properties designated for residential purposes by this Plan, municipal right-of-ways and property boundaries.

## 5.6 WASTE DISPOSAL AREA

The Waste Disposal Area designation identifies areas where the existing or prior use of the lands for the disposal of waste may have an impact on future uses of these lands and possibly adjacent lands. The designation is denoted on Schedule B to this Plan as Waste Disposal Area and identifies lands for which the following policies are intended to apply to ensure that all development recognizes the existing or prior waste disposal use in the area so as to safeguard all future uses.

### 5.6.1 Objectives

The objectives of the Waste Disposal Area designation are to:

- a) identify current and historic waste disposal sites;
- b) ensure that all development recognizes the existing or prior waste disposal use in the area so as to safeguard all future uses; and,
- c) establish conditions under which development may occur adjacent to or within potentially contaminated lands.

### 5.6.2 Permitted Uses

5.6.2.1 In areas identified as a Waste Disposal Area, uses may be permitted by the Municipality in consultation with the Ministry of the Environment and in accordance with the underlying land use designation subject to the following policies:

- a) Written approval has been received from the Ministry of the Environment that the development satisfies the provisions of the *Environmental Protection Act*;
- b) Studies have been carried out to the satisfaction of the Municipality and the Ministry of the Environment and in accordance with the policies of this Section of the Plan that show that the development is compatible and can safely take place;
- c) The Municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) Studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer and/or Hydrogeologist;

- e) The Municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, health, safety, and integrity of any and all structures; and,
- f) Notwithstanding the land use designations on the various Schedules to this Plan, residential development will not be allowed to proceed on areas identified by Sections (b) and (d) above, as containing organic or chemical wastes.

5.6.2.2 Only land uses compatible with potential impacts of waste disposal sites or their engineered controls will be permitted and may have to be determined by Amendment to the Zoning By-law as supported by the results of studies conducted under this Section.

5.6.2.3 Potentially contaminated lands and adjacent lands within 300 metres of a former waste disposal site may be zoned in a holding category as an interim measure until they are deemed suitable for development. New development within 300 metres of the Callander Sewage Treatment Plant, located north of the municipal boundary in the City of North Bay, shall meet MOE Guideline D-2, Compatibility between Sewage Treatment and Sensitive Land Use.

5.6.2.4 New accessory buildings such as barns or private garages and renovations to existing residential buildings shall not be subject to the policies of this section.

5.6.2.5 An Amendment to this Plan will be required for a new waste disposal site.

## 5.7 CROWN LANDS

The Province continues to own and manage a significant portion of the land base of the Municipality outside of specific lands that have been identified and planned for a particular use, such as a Provincial Park or Conservation Reserve. In recognition of the major role that Crown Lands play in the landscape of the Municipality, these lands are placed in a Crown Lands designation.

### 5.7.1 Objectives

The objectives of the Crown Lands designation are to:

- a) recognize the role and function that the significant Crown Lands play in the overall land use structure and landscape of the Municipality;

- b) recognize that the Province and Crown lands are not bound by the policies of the Planning Act and therefore this Plan;
- c) to encourage the Province to consult with Council and work with the Municipality in determining the future use and development of the Crown Lands; and,
- d) ensure that lands which are deemed surplus by the Province and no longer Crown Lands are subject to the policies of this Plan and require an Amendment to the Plan prior to development proceeding.

### **5.7.2 Permitted Uses**

Permitted uses within the Crown Lands designation shall include all those uses approved by the Province of Ontario and should generally include uses that are compatible with nature resource management including:

- a) existing waste management facilities;
- b) forestry management;
- c) linear recreational trails;
- d) mineral aggregate operations;
- e) mineral exploration and development;
- f) water and resource management activities; and,
- g) wildlife management including trapper cabins and hunt camps.

### **5.7.3 General Policies**

- 5.7.3.1 The Municipality encourages the Province and its resource Ministries to consult with the Council of the Municipality when making land use decisions concerning Crown Lands;
- 5.7.3.2 The Municipality encourages the Province to consider the policies of this Plan including its natural heritage and nature corridor policies when making land use and resource management decisions regarding the Crown Lands located within the Municipality of Callander;
- 5.7.3.3 The Municipality will co-operate and participate with the Province in any land use or resource management planning process with respect to Crown Lands located in the Municipality;

- 5.7.3.4 The Province is encouraged to consult with Council prior to making any decision with respect to the sale of any Crown Lands located in the Municipality;
- 5.7.3.5 The policies of this Plan shall apply to any Crown Lands that are deemed surplus by the Province and are sold into private ownership. Before any former Crown Lands may be used and developed, they shall be the subject of an Application to amend this Plan and if required the implementing Zoning By-law. The Application to redesignate lands within the Crown Land designation shall take into consideration the land use designations and structure as set out in the policies and on the Schedules to this Plan and shall consider the Policies of this Plan;
- 5.7.3.6 The Province is encouraged to continue to permit the use and development of the linear multi-use trails including snowmobile trails system in the Municipality. The Municipality may consider the development of a Trails Master Plan for the Municipality and would encourage the Province to participate in the process in order to permit the development of an inter-connected trail system in the Municipality on both private and public lands for a full range of recreational uses.

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## 6.0 SETTLEMENT AREA DESIGNATIONS

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The Callander Settlement Area is identified on Schedule A-1. This is the only settlement area in the Municipality. The majority of the anticipated 1,000 population growth projected for Callander is expected to locate in the Callander Settlement Area.

### 6.1 SETTLEMENT AREA

The Callander Settlement Area includes the following designations:

- Residential Area
- Employment Area
- Downtown Area
- Gateway Mixed-Use Area
- Environmental Protection Area
- Open Space and Parkland

#### 6.1.1 Objectives

The following objectives apply to the Callander Settlement Area:

- a) maintain and enhance the character and identity of the defined Callander Settlement Area;
- b) retain the Downtown Area as the main focal point of the community and the dominant service and commercial centre serving the residents of the Municipality and the surrounding areas;
- c) preserve and enhance the vitality of the traditional main street character and encourage a mix of residential, commercial and institutional uses in the Downtown Area;
- d) encourage and support the local business community to upgrade and improve the Downtown Area particularly through the utilization of government programs;
- e) encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds, needs and desires based on servicing capability of the Municipality;



- f) identify and promote opportunities for intensification, infill and redevelopment where this can be accommodated taking into consideration existing building stock, brownfield sites and available infrastructure;
- g) ensure that the Callander Settlement Area permits a variety of complementary and compatible land uses including special needs housing, community facilities, schools, commercial and small-scale employment uses, and open space areas;
- h) encourage the development of attractive gateways to the Settlement Area;
- i) establish a set of Urban Design Guidelines and policies that foster the establishment of a community environment that is safe, functional and attractive;
- j) encourage commercial development that will provide a full range of goods and services, at appropriate locations, to meet the needs of the Municipality's residents and visitors;
- k) ensure that all new development in the Callander Settlement Area is compatible with adjacent development, and is appropriately phased based on the type and availability of all ranges of services;
- l) ensure that a full range of institutional uses are available to meet the social, cultural and educational needs of the residents;
- m) ensure that there are sufficient lands available for the creation of diverse employment opportunities at strategic locations in the Callander Settlement Area;
- n) ensure that the Municipality is positioned to accommodate new and expanded business activities that provide jobs to local residents;
- o) streamline the approval process for the development of new and expansion of existing employment uses; and,
- p) ensure that full municipal services are available and adequate to sustain and support the nature and scale of all development within the serviced portion of the Urban Settlement Area.

## **6.2 RESIDENTIAL AREA**

### **6.2.1 Permitted Uses**

The predominant use of land in the Residential Area designation shall be for residential purposes and will include the following:

- a) single detached dwellings;
- b) semi-detached dwellings, and,
- c) duplex dwellings.

### **6.2.2** Also permitted in the Residential Area designation, subject to a Zoning By-law Amendment and available municipal services including waste disposal, sewage treatment and water supply services are the following uses:

- a) triplex and quadruplex dwellings;
- b) street townhouse dwellings;
- c) block townhouse dwellings;
- d) low-rise apartment dwellings;
- e) special needs housing; and,
- f) public, institutional and local commercial uses.

### **6.2.3 Medium Density Uses**

- a) The Medium Density uses in the Residential Area designation are limited to three and four unit dwellings, street townhouse dwellings, block townhouse dwellings, and low-rise apartment dwellings.
- b) New medium density residential areas shall be established by way of Amendment to the Zoning By-law in accordance with the following provided that the development:
  - i) is located on and has direct access to a road capable of accommodating the increase in traffic;
  - ii) respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
  - iii) can be easily integrated with surrounding land uses;
  - iv) will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;

- v) is located in close proximity to community facilities, such as parks, schools or open spaces;
- vi) is located on a site that has adequate land area to incorporate the required parking, recreational facilities, landscaping and buffering on-site;
- vii) can be serviced by available uncommitted water and wastewater systems and waste disposal services; and,
- viii) is subject to site plan control.

#### **6.2.4 Special Needs Housing**

Special Needs housing such as long-term care facilities and retirement homes may be permitted subject to an Amendment to the implementing Zoning By-law and provided Council is satisfied that:

- a) the site has access and frontage onto an arterial or collector roads as shown on Schedule A-1 to this Plan;
- b) the site is large enough to accommodate the building, on-site parking and appropriate buffering in the form of landscaping, fencing and trees;
- c) the building does not exceed 3 storeys in height and is buffered from adjacent low density residential uses by setbacks, landscaping, fencing and trees to ensure compatibility of the use with adjacent land uses;
- d) the use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
- e) the site is subject to site plan control.

#### **6.2.5 Institutional Uses**

Public and institutional uses including community facilities such as libraries, public schools, places of worship, day nurseries and other public institutional uses parks and playgrounds which are compatible with the surrounding area may be permitted subject to a Zoning By-law Amendment.

Day nurseries and institutional uses which directly serve the needs of the adjacent residential areas such as private and public schools, nursery schools, and places of worship, may be permitted subject to an Amendment to the Implementing Zoning By-law and provided Council is satisfied that:

- a) the size of the site and its location is appropriate for the development;

- b) the use is intended to serve and support only the immediate neighbourhood and is not more appropriately located in the major community;
- c) the use is designed to complement the low density nature of the community;
- d) the use will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
- e) the site is large enough to accommodate the building, on-site parking, play areas, where required, and appropriate buffering in the form of landscaping, fencing and trees to ensure the compatibility of the use with adjacent land uses;
- f) the noise generated by the use will not adversely affect the enjoyment of neighbouring properties;
- g) the use will be a positive addition to the neighbourhood and will provide a service that is required by residents; and,
- h) in the case of public elementary schools, the site is located adjacent to a neighbourhood park to provide a neighbourhood focal point and encourage the provision of complementary facilities such as sports fields, hard surface play areas and components and play equipment.

#### **6.2.6 Commercial Uses**

Commercial uses may be permitted provided Council is satisfied that:

- a) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- b) the use will have frontage on and direct access to a Provincial highway or a local arterial road;
- c) the use can easily be accessed by pedestrians;
- d) the use is located on a site that has adequate land area to incorporate required parking, waste management facilities, stormwater management facilities, landscaping and buffering on-site;
- e) the use, scale, massing and siting of the development is compatible and consistent with development on adjoining lands; and,

- f) the uses permitted serve the local retail and service needs of the surrounding area and community. On this basis, the Implementing Zoning By-law may restrict the size and coverage of a local commercial centre or use.

### **6.3 EMPLOYMENT AREA**

The Employment Area designation identifies the locations in the Municipality that have been previously designated as Highway Tourist Commercial, General Commercial, Special Commercial and Industrial in the Municipality. These areas are concentrated in north, and southern limits of the Callander Settlement Area. The Employment Area designation is intended to permit a broad range of light industrial and commercial uses in appropriate locations throughout the Municipality.

#### **6.3.1 Permitted Uses**

The predominant use of land in the Employment area designation shall be for employment purposes and will include the following:

- a) assembly;
- b) educational facilities;
- c) fabrication;
- d) land intensive retail uses, including building supply depots and automobile sales dealerships;
- e) light manufacturing;
- f) office;
- g) office uses;
- h) processing;
- i) research establishments;
- j) restaurants;
- k) retail uses;
- l) storage and/or warehousing uses; and,
- m) wholesale establishments.

### 6.3.2 General Policies

- a) All new development shall be subject to an Amendment to the implementing Zoning By-law and shall be subject to Site Plan Control. Any redevelopment of existing industrial uses which would involve an expansion of the floor area of more than 25 percent may also be subject to Site Plan Control. Prior to considering an application for re-zoning and/or Site Plan approval, Council shall be satisfied that:
  - i) Adequate parking and loading facilities are provided on the site;
  - ii) The proposed buildings are designed to blend in with their surroundings and with other buildings in the area;
  - iii) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area;
  - iv) Outdoor storage areas are substantially screened from view from passing traffic and adjacent land uses;
  - v) The proposed use can be serviced with available uncommitted water supply and sewage disposal;
  - vi) Stormwater management facilities treating quality and quantity are provided; and,
  - vii) Where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses.
- b) Council may permit retail and service commercial uses that may not be dependent solely on passing traffic. The implementing Zoning By-law, shall identify the size and type of these additional uses.
- c) Regard shall be had for the compatibility of the Employment Area uses with uses in adjoining areas so as to ensure that the use will not have a detrimental effect upon adjoining properties. Development or redevelopment proposals shall incorporate site planning standards which will result in a desirable design including the following:
  - i) Adequate buffer planting shall be provided between the employment use and any adjacent residential areas. Such buffer planting may include provision for grass strips and appropriate planting of trees and shrubs.
  - ii) Adequate off-street parking facilities shall be provided for all permitted uses. Access points to and from parking

areas shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.

- iii) Uses requiring water for processing, cooling, or washing shall only be permitted where municipal water and municipal sewage servicing exists.
  - iv) Employment uses should be encouraged to consolidate in nodes adjacent to similar uses and should not be permitted to develop in an indiscriminate manner.
  - v) Typical highway commercial uses and activities should be encouraged to locate adjacent to major roads and highways within the areas designated under this Plan. Further, new uses proposed in close proximity to existing residential areas should be designed with the intent of providing adequate pedestrian and vehicular access to these built-up residential areas, as well as servicing the traveling public. These measures can be assured through effective site plan control measures.
  - vi) Development proposals in the Employment Area designation shall be encouraged to provide access off service roads and/or secondary roads rather than direct access to arterial roads.
  - vii) It shall be the policy of this Plan that Employment Area uses be included in a separate zoning classifications in the implementing Zoning By-law, whereunder suitable provisions and regulations are prescribed to govern the future development and use of such lands.
- d) No use that causes, or is likely to cause air pollution, offensive odours, ground or surface water pollution, or noise in excess of Provincial regulations or guidelines shall be permitted.
  - e) All lands within the Employment Area designation shall be placed in an appropriate zone in the implementing Zoning By-law. The By-law will zone commercial and institutional lands in separate zones to ensure that permitted uses are compatible.
  - f) Employment uses located within the Callander Settlement Area will require full municipal services.

### **6.3.3 Conversion of Employment Lands**

The conversion of Employment lands to Residential lands shall only be considered as part of a comprehensive review of this Plan including population, housing, and employment trends and land area requirements.

## **6.4 DOWNTOWN AREA**

The Downtown Area designation identifies lands which are generally bounded by Callander Bay to the west, Burritt Street and the lots along Landsdowne Street to the north, Highway 94 to the east and View and Bay Street to the south as identified on Schedule A-1, designated as Downtown Area.

### **6.4.1 Permitted Uses**

The predominant use of land in the Downtown Area designation shall be a mix of commercial and residential uses. Commercial uses permitted in this designation include:

- a) banks and financial services;
- b) business, professional and medical offices;
- c) entertainment and recreational uses;
- d) hotels and convention centres;
- e) personal service uses;
- f) restaurants;
- g) retail and service commercial uses.

6.4.2 Uses compatible with and complementary to and serving the commercial and residential uses of the land, such as recreational and cultural facilities, public, community and institutional uses, parks and open space uses are permitted within the Downtown Area designation.

6.4.3 In addition to commercial uses, medium density uses which include three and four unit dwellings, street townhouse dwellings, block townhouse dwellings, and low-rise apartment dwellings are also permitted. Accessory dwelling units and garden suites are also permitted.

6.4.4 Within the area designated Downtown Area, special needs housing such as long-term care facilities and retirement homes are permitted.



#### **6.4.5 Development Policies**

- a) Mixed use buildings are encouraged within the Downtown Area designation in order to achieve higher densities and reinforce the objective of achieving a diverse mix of land uses. It is intended that the permitted commercial uses will be developed on the ground floor. Residential and office uses are encouraged above the commercial uses located on the ground floor of mixed use buildings.
- b) All built form in the Downtown Area is considered a significant asset to the community. As such all new development or redevelopment shall reflect the scale, density and massing of surrounding structures, be limited in height to three storeys and incorporate and improve upon the existing historical structures.
- c) Development shall be designed to reflect the proximity of the Downtown to the waterfront. Development abutting the waterfront shall, wherever possible, encourage public access to the shoreline, provide connectivity between public lands and preserve views to the lake.
- d) Parking for residential uses will be located on-site. Adequate off-street parking shall be provided in easily accessible and convenient locations. New commercial development or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities. Provisions for snow storage will also be required.
- e) Where conflict could result between commercial and adjacent uses, adequate screening or a buffer strip may be required.
- f) All new development and redevelopment within the area designated Downtown Area shall be subject to Site Plan Control.

#### **6.4.6 Urban Design Principles**

- a) Active street life is encouraged through the provision of municipal squares, parkettes, street related buildings, outdoor patios, and other amenities.
- b) The pedestrian environment will be enhanced through development of buildings of high architectural quality grade level doors and windows and the provision of street benches, awnings, pedestrian-scale lighting and streetscape amenities.

- c) Buildings will be sited to provide a continuous façade to define the edge of the street and to provide a sense of enclosure.
- d) Public safety will be enhanced in the design and siting of buildings and public open spaces to provide visibility, easy access, multiple routes, and unobstructed views from streets and buildings.
- e) The design and scale of signage shall complement rather than dominate the landscape or detract from the overall visual attractiveness of the environment and will be incorporated as an integral part of the building or site layout.
- f) Developers and owners of commercial properties will be encouraged to assist in the creation of a high quality public realm through contributions to street tree planting and street furniture in addition to landscaping improvements on private lands.
- g) Parking areas should be sited to the side or rear of the building.
- h) Loading areas and refuse collection areas shall be unobtrusive and will be mitigated and screened where necessary and shall generally be located at the side or the rear of the building.

## **6.5 GATEWAY MIXED-USE AREA**

The Gateway Mixed Use designation forms the northerly gateway to the Callander Settlement Area. Redevelopment of this area provides an opportunity to define and reinforce the Settlement Area boundary of Callander. The objectives of the Gateway Mixed-Use Area are to:

- a) encourage a mixed use sustainable neighbourhood community of mixed commercial, employment and residential uses;
- b) encourage the development of an attractive gateway to Callander; and,
- c) encourage the redevelopment of the brownfield areas.

### **6.5.1 Permitted Uses**

- a) business, professional and medical offices;
- b) entertainment and recreational uses;
- c) light industrial uses;

- d) low and medium density residential uses as part of a mixed use development;
- e) public uses;
- f) restaurants;
- g) retail uses

### 6.5.2 Development Policies

- a) In areas designated Gateway Mixed Use housing forms may include small lot or clustered single, semi-detached, street, block and stacked townhouses, four-plexes and apartments. Housing types and tenure shall be planned and developed to meet housing needs not presently being provided in the Municipality.
- b) Council in consultation with the Ministry of the Environment may consider alternative sustainable servicing schemes for the Gateway Mixed Use where the servicing is:
  - i) sustainable;
  - ii) compatible with the adjacent land uses; and,
  - iii) staged in such a manner to provide assurances of the operation, maintenance and functioning of such a system prior to stages of expansion.
- c) When considering amendments to the Zoning By-law to permit commercial uses in this designation Council shall consider the impact of the use on the Downtown Area and shall be satisfied that the proposed commercial use will not reduce the viability and future development of the Downtown Area.
- d) Light industrial uses may be located in places of high visibility along major arterial roads adjacent to residential areas. The range of industrial uses permitted shall be sensitive to and compatible with abutting uses and shall include light manufacturing, assembling, processing, fabricating, repairing, research and development and warehousing. Open Storage will not be permitted in this area.
- e) All proposed development shall satisfy the policies in this Plan and Ministry of Environment Guidelines regarding land use compatibility.

- f) Development should be designed and located to permit pedestrian connectivity to the park and open space system in the community
- g) All development within the Gateway Mixed Use designation shall be subject to Site Plan Control.

## **6.6 ENVIRONMENTAL PROTECTION AREA**

The Environmental Protection Area designation identifies lands within the Callander Settlement Area that are identified as having sensitive features whether it be sensitive fish habitat as identified along the shore of Callander Bay or locally significant wetlands and hazardous features such as floodplain. These lands are subject to the policies of the Environmental Protection Area designation as identified in Section 5.3 of the Plan.

## **6.7 OPEN SPACE AND PARKLAND**

Lands designated Open Space and Parkland on Schedule A-1 Callander Settlement Area are subject to the policies of the Open Space and Parkland designation as identified in Section 5.4 of the Plan.

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## **7.0 LAND DIVISION**

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This section contains policies that are to be considered with every application to subdivide land in the Municipality.

### **7.1 PREFERRED MEANS OF LAND DIVISION**

A provisional consent to sever land shall only be considered when Council or its delegate is satisfied that a Plan of Subdivision is not required to ensure the proper and orderly development of the lands. Where the land ownership would be capable and appropriate for division into numerous lots or there are indications that the scale of development is beyond that for which the consent process is intended, a Plan of Subdivision shall be required.

Land division by Plan of Subdivision, rather than by consent, shall generally be required if:

- a) the extension of an existing public road or the development of a new public road is required to access the proposed lots; or,
- b) the area that is proposed to be developed is not considered to be infilling; or,
- c) a Plan of Subdivision is required to ensure that the entire land holding or the area is developed in an orderly and efficient manner; or,
- d) more than three lots including the retained lands are being created and/or the owner is retaining sufficient lands, which may be the subject of applications for the development of additional lots.

### **7.2 NEW LOTS BY CONSENT**

#### **7.2.1 General Criteria**

When considering the creation of new lots by consent the following criteria shall be applied.

In all areas of the Municipality proposed lots shall:

- a) front(s) on and will be directly accessed by a public road that is maintained on a year-round basis or has legal access to a municipally maintained road and where it will be demonstrated to not negatively impact future development; (OPA 02-2023)
- b) not cause a traffic hazard as a result of its location on a curve or a hill;
- c) be serviced with an appropriate water supply and means of sewage disposal;
- d) not have a negative impact on the drainage patterns in the area;
- e) not have a negative impact on the water quality of the adjacent waterbody/watercourse;
- f) not restrict the development of the retained lands or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan;
- g) not have a negative impact on the features and functions of any natural heritage feature in the area;
- h) where on full municipal services, be accommodated in the uncommitted servicing capacity or where on private sewage systems there is sufficient disposal capacity for pumped septage and written confirmation that it can be provided; and;
- i) there is sufficient solid waste disposal capacity. (OPA 02-2023)

In addition to these policies, in the Rural Area the following additional criteria apply:

- j) where no new lots have been created from a parcel since June 4<sup>th</sup>, 2023, a maximum of 4 new lots shall be permitted provided that the proposed lots(s) meet the following: (OPA 02-2023)
  - i) should have at least 1.0 hectare in area unless it is demonstrated by a hydro-geological study, completed to the satisfaction of the approval authority, that a smaller lot size is sustainable and will not adversely impact the water quality or quantity on adjacent lands;
  - ii) should have at least 100m frontage, Reduced frontage can be considered where it is appropriate, based on compatibility of the area and the adjacent land uses/lot sizes and any environmental or physical constraints. (OPA 02-2023)

- iii) will not extend an existing “strip” of residential development by more than one lot;

Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot in accordance with the *Planning Act*.

### **7.2.2 Boundary Adjustments**

A consent may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot is created. In reviewing an application for such a boundary adjustment, the Council or its delegate shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan.

### **7.2.3 Lots for Utilities**

The creation of new lots for public utilities, communication utilities and other public uses may be permitted provided:

- a) the area of the proposed lot is minimized and reflects what is required for the use; and,
- b) the Implementing Zoning By-law, as a condition of provisional consent, only permits uses that are related to the utility on the lot.

### **7.2.4 Waterfront Lots**

Callander Bay is currently at capacity for the creation of new lots. Any new lot creation will be subject to the provisions of section 5.2.4.4 of this Plan and the approval of the Ministry of the Environment. Applicants will be required to demonstrate that the septic system will be set back 300 metres from the shore of Lake Nipissing including Callander Bay and the Wasi River or that phosphorous will not reach the lake.

Other waterfront lots shall only be permitted where it is demonstrated to the satisfaction of Council or its delegate that the abutting waterbody, including rivers and streams, can sustain the impact associated with the additional lot(s).

In addition to the Shoreline Area policies of this Plan when considering applications for lot creation Council shall require that:

- a) There is sufficient frontage on each lot to ensure that there is an appropriate waterfront amenity area outside of sensitive fish

- habitat, steep slopes, or other environmentally sensitive areas;
- b) The physical characteristics of the land enable the development in accordance with the policies of this Plan and the regulations of the Zoning By-law without alteration to the natural landscape through filling or blasting;
  - c) Backlot development, is a form of development operating as an additional tier of lots adjacent to shoreline lots. A second tier of Backlot development that is separated from the waterbody by a road, may be permitted by this Plan subject to the land division policies of this Plan and subject to the following:
    - i) the lot to be created has a significantly larger lot area and lot frontage than the lots in the first tier;
    - ii) the lot is located within close proximity to a public access point to the lake;
    - iii) and each lot fronts on a year-round maintained public road;
  - d) A phosphorous reducing sewage system in accordance with the policies of this Plan can be accommodated on site, with all components of the system being located a minimum of 30 metres from the high water or defined flood elevation;
  - e) The water setback shall be a minimum of 20 metres for all principle buildings. The Zoning By-law will establish specific standards regarding accessory buildings and structures; and,
  - f) The lot shall retain all significant indigenous soil, vegetation and tree cover as part of its development.

### **7.3 SUBDIVISIONS AND CONDOMINIUM DEVELOPMENT POLICIES**

This section is intended to contain general subdivision policies that are to be considered with every application for Plan of Subdivision or Plan of Condominium.

Prior to the consideration of an application for Plan of Subdivision or Plan of Condominium, Council shall be satisfied that:

- a) the approval of the development is not premature and is in the public interest;
- b) there is sufficient reserve sewage system capacity, including treatment capacity or disposal capacity for hauled sewage from private communal systems and individual on-site sewage services in accordance with MOE Guideline D-5;



- c) the lands will be adequately serviced with schools, parkland and open space, community facilities and other amenities;
- d) the density of the development is appropriate for the area;
- e) the subdivision, when developed, will be easily integrated with other development in the area; and,
- f) the proposal conforms to Section 51 (24) of the *Planning Act*, as amended.
- g) the land is divided in an efficient manner, and that landlocked parcels are not created;
- h) the proposed subdivision is integrated with the surrounding area;
- i) the proposed infrastructure is designed to meet or exceed Callander's standards;
- j) the subdivision shall not have a negative impact on the drainage patterns of the area;
- k) the subdivision will not impact the groundwater quality and quantity of the area;
- l) the proposed development will not have a negative impact upon the features and functions of any significant natural features or any constraints or hazards;
- m) the proposed lots are of a size appropriate for their intended use and conform with the policies of the Official plan and the Zoning By-law.
- n) In the Urban Area, Callander shall require that new subdivisions construct sidewalks on one side of all roads within the Plan of Subdivision.
- o) Prior to approval of an application for plan of subdivision, Callander will confirm the availability of waste management, roads/access, and other amenities in accordance with the policies of this Plan;
- p) Callander shall use subdivision agreements to ensure that appropriate conditions and requirements are satisfied as part of the development. Callander may adopt standards for the development, design, servicing, roads, financing, and other conditions under the subdivision agreement; and,

- q) Callander may create subdivision standards for the development, design, servicing, roads, financing, and other conditions under the subdivision agreement.

7.3.2 All conditions of draft plan approvals must be met within three years after which the draft approval lapses. Callander will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the subdivider has demonstrated to the satisfaction of Callander that they are making a reasonable effort to proceed in meeting the conditions of the draft approval. At the time of extension, Callander will review draft plan conditions and may make appropriate modifications.

7.3.3 Rural estate subdivisions may be permitted through an Official Plan Amendment, Rezoning and Plan of Subdivision and/or Condominium to ensure that the proposed development meets local and provincial land use planning interests and objectives.

## **7.4 ENERGY EFFICIENCY AND AIR QUALITY**

Council encourages subdivision design that promotes or derives energy efficiency and improved air quality through land use and development patterns which maximize the use of alternative or renewable energy, such as solar and wind energy as well as the mitigating effects of vegetation.

## **7.5 PARKLAND DEDICATION**

7.5.1 The Municipality is entitled to take 5 percent of the total land area as a condition to the approval of a plan of subdivision for park or other public recreational purposes. The minimum parkland dedication as part of a plan of subdivision or consent shall not include lands which are unsuitable for parkland development.

7.5.2 Where possible, parkland shall be taken on lands adjacent to a waterbody.

7.5.3 Environmentally sensitive areas which are not intended for public access should not be included in the total area of the plan of subdivision for the purposes of calculating the required 5 percent parkland dedication.

7.5.4 If trails or other public features are planned for the environmentally sensitive lands, these areas represent passive parks and at least a portion should be included in the total subdivision area for the purposes of calculating the required 5 percent parkland dedication.

7.5.5 When 5 percent parkland dedication is required, the value of the lands being acquired by the Municipality should represent, in approximate

terms, 5 percent of the value of the entire subdivision.

- 7.5.6 Where the Municipality takes cash in lieu of parkland, the Municipality shall base the amount of cash taken on 5 percent of the average market value of the land immediately prior to draft plan approval. The value should assume that the land is zoned to permit the proposed use, but that any works and services necessary to develop the subdivision have not been installed. Alternatively, the Municipality may pass a by-law to establish standard parkland dedication fees that represent a reasonable estimate of 5 percent of the value of certain lands prior to the date of draft approval.

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## 8.0 MUNICIPAL SERVICES

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The policies of this Section are intended to provide guidance to Council and the public when determining the extent of municipal services that will be provided in the Municipality.

### 8.1 OBJECTIVES

It is the objectives of the Plan to:

- a) Ensure that municipal services shall be provided in a co-ordinated, efficient and cost-effective manner to accommodate the projected need of the Municipality;
- b) To plan services commensurate with growth in order to ensure that services are available in advance of demand;
- c) To minimize waste through recycling, reuse and waste reduction; and,
- d) To improve and enhance environmental conditions in the Municipality.

### 8.2 POLICIES

- a) All development within Callander Settlement Area shall be serviced with municipal sewage treatment and water supply. No development shall be approved that exceeds the uncommitted reserve capacity of the municipal infrastructure. Intensification and redevelopment on existing municipal sewage and water services are to be encouraged within the Callander Settlement Area.
- b) Lands outside the Callander Settlement Area shall utilize private sewage disposal and water services. The use of municipal water and private sewage disposal services will be discouraged, except where necessary to address failed services. New development serviced by municipal water and private sewage disposal services will not be permitted. Where existing development is serviced by municipal water and private sewage disposal services the Municipality may pass a temporary use by-law which would establish a maximum period for which the partial servicing may occur and limit the sewage effluent to 4500 litres per day.

- c) Development supported by communal water supply or communal sewage disposal systems shall not be permitted within the Municipality without an Official Plan Amendment.
- d) Consideration of a communal sewage treatment or water system shall only occur through an Official Plan Amendment. In addition to the Amendment, Council will require a financial impact analysis of the services and an agreement with securities to ensure that the services do not create a potential liability to the Municipality.
- e) Outside the Callander Settlement Area no development shall be permitted unless it can be shown to the satisfaction of the Municipality that there is an adequate on-site individual water supply and sewage disposal system to service the development. In addition, no development shall be permitted unless Council is satisfied that the development will not have an adverse impact on neighbouring wells and sewage disposal systems and on surface and groundwater quality.
- f) In considering impacts on ground water quality and quantity, the Municipality shall consider the cumulative impacts of development on the sustainability of ground water resources. No development shall occur if it is determined that cumulative impacts of development on the sustainability of ground water resources will have adverse impacts.
- g) New development shall consider the impacts of stormwater on the quality and quantity on the lands and waters downstream. Stormwater Management Plans shall be required as a condition of development approval within the Callander Settlement Area and for any large scale development or Plan of Subdivision within the Municipality.
- h) Council will encourage and may require the use of new technology in sewage disposal systems in an effort to reduce nitrate and phosphate in the effluent and hence reduce the impact on adjacent Lake Nipissing and ground water.
- i) Allocation of sanitary sewage treatment capacity shall occur upon draft approval of a development or Plan of Subdivision or through the rezoning of a single site for multiple residential, commercial or industrial uses only after subdivision, condominium or site plan agreements have been completed and the necessary securities have been put into place. Council may impose a limit on the amount of time that allocation of sewage capacity can be held before a building permit is issued.

- j) Extensions and expansions to municipal services to accommodate new development shall be done at the cost of the developer. Where services are oversized to accommodate future development, the Municipality may enter into an agreement with the developer to assist in the recovery of additional costs incurred as the result of oversizing services.
- k) The extent of municipal services provided outside of the Callander Settlement Area shall not be expanded unless it can be demonstrated to the satisfaction of Council that the additional servicing costs will be off-set by increased assessment or other benefits to the Municipality.
- l) Where the sewage or water treatment facilities are at or near capacity, Council will review the matter and, where required, take appropriate action to address the issue by increasing facility capacity prior to approving development proposals that will result in new connections to these facilities or alternatively examine ways to extend the life of the treatment facility through on-going maintenance improvements.
- m) Solid waste disposal is provided by the City of North Bay. In an effort to reduce waste, the Municipality will participate in waste reduction programs including recycling, reuse and reduction of waste products wherever possible. Approval of new development will be contingent on ensuring that waste disposal services are available.

### **8.3 DEVELOPMENT STAGING**

- a) Schedule A-2 outlines a development staging plan for the Callander Settlement Area. The Stage 1 development areas may develop on the basis of the availability of the capacity of the existing Sewage Treatment facility, as it existed on the date of the adoption of this Plan.
- b) Development within the Stage 2 development area is contingent on expansion of the existing Sewage Treatment facility and confirmation of water services being available. Draft plan approval for developments within the Stage 2 areas shall only be considered following the completion of the Environmental Assessment for the expansion of the Sewage Treatment Facility. As a condition of draft plan approval within the Stage 2 area, final approval shall not be given until the tender for the sewage treatment facility construction has been awarded.

- c) Council may consider an amendment to this Plan to redesignate lands within the Stage 2 to meet growth targets and policies of this Plan based on available sewage treatment capacity.

#### **8.4 SEWAGE ALLOCATION**

- a) Allocation of services for employment uses shall be done at the site plan approval stage of development and only upon posting of sufficient securities to ensure that servicing costs will be recovered. Council may establish a lapsing date for servicing allocation in site plan agreements.
- b) Employment uses shall primarily consist of low water users that only generate domestic sewage effluent.
- c) Allocation of services for residential uses shall be done upon completion of subdivision, consent, condominium or, in the case of multiple dwellings, site plan agreements and only upon the posting of sufficient securities to ensure that servicing costs will be recovered. When allocating capacity, Council will ensure that the housing targets identified in Section 4.14 are achieved so that a range and mix of housing is available to the market in each stage of development. Council may establish a lapsing date for draft plan approval to ensure that sewage capacity is available and development takes place in a timely manner.

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## 9.0 TRANSPORTATION AND UTILITIES

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The policies of this Section outline the requirements of the planned road network for the Municipality and provide policies for future development of the transportation system and the siting of utilities.

### 9.1 OBJECTIVES

It is the objective of the Plan to:

- a) facilitate the movement of people and goods within the Municipality and to and from adjacent municipalities;
- b) establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including automobiles, trucks, cycling and walking;
- c) protect transportation corridors to facilitate the development of a transportation system that is compatible with and supportive of existing and future land uses due to the inter-dependency of land use and transportation planning decisions in relation to environmental and topographical features;
- d) ensure that new roads are constructed safely and designed to help distribute car and truck traffic evenly and provide access for the future operation of an efficient roads system;
- e) ensure that new roads protect significant environmental features and their ecological function;
- f) ensure that appropriate right-of-way widths for all existing and proposed roads are provided in accordance with the *Planning Act*;
- g) encourage the use of alternative development standards for roads, where appropriate;
- h) to not permit development on private roads; and,
- i) ensure that the financial implications of decisions relating to road construction and maintenance are thoroughly considered.



## 9.2 TRANSPORTATION POLICIES

- 9.2.1 A transportation study will be prepared to address both the impact of any new development upon the Provincial highway system as well as any associated highway improvements that are required prior to the approval of any plans of subdivision.
- 9.2.2 Individual access onto arterial roads following the date of adoption of this Plan shall be restricted. New access shall be permitted only where there is no reasonable alternative access to an existing lot. The planned right-of-way for arterial roads is 30 metres.
- 9.2.3 In addition to all applicable municipal requirements, all development adjacent to or in proximity to Provincial Highways 11, 654 and 94 will be subject to the permits of the Ministry of Transportation. Areas of interest that may need to be satisfied to the MTO's satisfaction before permits are issued include, but are not necessarily limited to: geometric and safety requirements, traffic impacts, grading and stormwater management, site layout, site servicing, exterior illumination and signage.
- 9.2.4 Ministry of Transportation approval will be required for any development within the permit control jurisdiction of Highway 11 as a controlled Access Highway or of Highway 94 or 654 as a Kings Highway.
- 9.2.5 No new access to Highway 11 will be permitted.
- 9.2.6 New development that significantly increases traffic at an existing entrance or at-grade intersections to Highway 11 will not be permitted for safety and operational reasons.
- 9.2.7 Permits from the Ministry of Transportation are required for any new buildings, or site alterations or entrances within 45m of the highway property line and within a radius of 395 m of the centre point of the intersection of a road and Highway 11, or within a radius of 180 metres of the centre point of the intersection of a road and Highway 94 or 654.
- 9.2.8 Permits may be required for uses, which cause persons to congregate in large numbers within 800 m of any limit of any Provincial highway.
- 9.2.9 Existing collector and arterial roads are shown on Schedule A-1. Local roads will develop through Plans of Subdivision.
- 9.2.10 Collector roads are intended to provide efficient access through the Municipality. New access to these roads should be minimized wherever possible. The planned right-of-way is 24 metres.

- 9.2.11 Greater setbacks will be required in the implementing Zoning By-law for development adjacent to major collector and arterial roads.
- 9.2.12 Bicycle and/or snowmobile lanes may be provided in all new roadway construction and, wherever possible through reconstruction and resurfacing projects.
- 9.2.13 All new lots shall front on public roads which are maintained year round.
- 9.2.14 The Municipality may, by By-law, close existing roadways and laneways that have access to Highway 11 and Highway 11B in order to redirect residential traffic away from the highway and to signalized intersections with the highway.
- 9.2.15 Snowmobile routes form an important component of the Municipality's transportation system and economy. Crossings of Provincial Highways will require the approval of the Ministry of Transportation. Crossings of waterway may require the approval of the Ministry of Natural Resources, the Ministry of the Environment and/or the Department of Fisheries and Oceans.

### **9.3 UTILITY POLICIES**

- 9.3.1 While recognizing the authority of the Federal government with respect to the siting of Radio communication and Broadcasting Antenna Systems, Council will establish a public notification and consultation protocol to address the siting of these facilities in the Municipality. Communication towers should avoid locations that are visually prominent from lakeshore areas and areas that have historic or cultural significance.
  - 9.3.1. The development of electric power facilities shall occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. As such, electric power facilities are permitted in all land use designations without an amendment to the Plan.
  - 9.3.1. Wind farms and associated wind turbines located within MTO's permit control area will require all the necessary permits prior to any construction taking place unless exempted under the Green Energy and Economy Act.

### **9.4 LAKESHORE AND ROAD ALLOWANCES POLICIES**

- 9.4.1 The Municipality will not stop up or sell unmaintained road allowances where there is any possibility that there is a potential future public use for the lands. Road allowances leading to water will not be sold to

abutting property owners unless alternate public access is available in the immediate area.

- 9.4.2 Where road allowances along the shores of lakes or rivers have been laid out in locations where they are not required for pedestrian or vehicular traffic or to protect public access or natural resource values, it shall be the general policy of this Plan to permit such road allowances to be stopped up and sold to the abutting land owners in accordance with the Municipal Act. The proceeds of such sales shall be used to fund the acquisition of land or facilities for public recreation purposes.
- 9.4.3 In its assessment of applications for the closure and sale of public road allowances along shorelines, Council shall have regard to the following:
- a) Road allowances, or portions of an allowance, that are or will be used for public waterfront recreational use, public access, emergency access, public travel and portage or other municipal purposes shall be reserved. Further, no approval shall be given to closing any road allowance that leads to water.
  - b) Road allowances or portions of an allowance that contain, abut or provide access to important fish spawning areas, wildlife habitat or other environmentally sensitive features or portions on which significant historical or cultural features have been identified shall be reserved.
  - c) Road allowances, or portions of an allowance, may be closed and sold to abutting land owners only after Council, on an individual basis, has reviewed the concerns of adjacent and area landowners, other approval agencies such as the Ministry of Natural Resource and/or the North Bay-Mattawa Conservation Authority. Ontario Hydro and Bell Canada with respect to the extent and the shape of the portions to be closed.
- 9.4.4 Only the portion of the road allowance above the natural or regulated highwater mark may be sold.
- 9.4.5 Lands that are subject to flooding or other hazards may be sold. However, any excavation, or construction or the placement of fill on these lands will be subject to the approval of the Ministry of Natural Resources and/or the North Bay-Mattawa Conservation Authority.
- 9.4.6 It shall be the policy of council to protect lake and riparian ecosystems by encouraging the retention of shoreline areas in as natural a state as possible. In this regard, an appropriate setback will be established in the Zoning By-law to restrict the placement of buildings and structures within the shoreline area. Additions, reconstruction and the alterations

to legally existing buildings generally will be permitted provided such changes do not further encroach into the wateryard setback. In addition, subdivision agreements and site plan control agreements will be utilized to further minimize impacts.

- 9.4.7 All costs incurred in the closing and sale of a lakeshore road allowance shall be paid for by the respective landowner who shall be subject to any additional fees or requirements that may be determined by the Municipality.

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## 10.0 IMPLEMENTATION

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The following policies are intended to provide direction for the decisions of Council, the use of By-laws and Development Agreements, which will implement policies outlined in this Plan.

### 10.1 COMPLETE APPLICATION

In accordance with the provisions of subsection 22(6.1), 34(10.4) of the Planning Act, any application submitted to the Municipality of Callander in support of a development proposal must be deemed to be a complete application and be accompanied by the appropriate fee, before any processing will begin. Any required background reports, studies documents and materials must be prepared and submitted to the satisfaction of the Municipality. Should it be determined that through the review process, that the submission is incomplete, inadequate or further issues need to be addressed, additional information may be required. The authority to deem an application complete may be delegated to the Chief Administrative Officer by by-law. A checklist may be utilized to assist in ensuring the appropriate reports and studies are submitted to deem an application complete.

### 10.2 PRE-CONSULTATION

Prior to the submission of any development application for which the Municipality is the approval authority, applicants shall pre-consult with staff in the Municipality or a Planning Consultant retained by the Municipality in accordance with the provisions of this Plan and the Municipality's Pre-consultation By-law. The pre-consultation process is intended to address the requirements for a completed application and may require more than one pre-consultation meeting and involve other agencies and Municipal Departments. The Municipality is required to adopt a Pre-Consultation By-law.

### 10.3 ZONING BY-LAW

- a) This Plan will be implemented through a comprehensive Zoning By-law adopted under Section 34 of the Planning Act. The implementing By-law shall implement the policies of this Plan.

- b) Until such time as the Zoning By-law is revised or a new Zoning By-law enacted, the existing Zoning By-law shall remain in effect. However, any Amendment to the existing By-law shall be in conformity with this Plan.

### **10.3.1 Non-Conforming Uses**

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use, which is in conformity with the goals of the Official Plan and the intent of the Implementing Zoning By-law. In some instances, it may be necessary and practical to allow the extension or enlargement of non-conforming uses through the granting of a minor variance or by placing the use in an appropriate zone in the Implementing Zoning By-law. In such instances, Council shall have regard for the following principles:

- a) The feasibility of acquiring the property for holding, sale, lease or development by the Municipality for a more appropriate permitted use; and,
- b) The possibility of relocating the non-conforming use to another site.

### **10.3.2 Non-Complying Buildings, Structures or Lots**

A non-complying building, structure or lot does not comply with the regulations and performance standards of the Implementing Zoning By-law.

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further increase a situation of non-compliance;
- b) complies with all other applicable provisions of this Plan and the Implementing Zoning By-law;
- c) does not increase the amount of floor area in a required yard or setback area; and,
- d) will not pose a threat to public health or safety.

The Implementing Zoning By-law shall contain specific provisions regarding the enlargement, repair or renovation of non-complying structures in the Shoreline Area. Performance standards for the enlargement, repair or renovation of non-complying structures in the Shoreline Area shall be contained within the By-law and may contain

standards respecting maximum width of the addition, maximum size of the dwelling or structure, maximum height, and other relevant standards.

A non-complying lot in existence prior to the effective date of the Implementing Zoning By-law that does not meet the lot area and/or lot frontage requirements contained within the Implementing Zoning By-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the Implementing Zoning By-law, and the buildings or structures comply with all of the other provisions of the Implementing Zoning By-law.

### **10.3.3 Temporary Uses**

Council may pass a By-law as provided for under Section 39 of the Planning Act to allow the temporary use of lands that do not comply with the Land Use designations in this Plan.

Temporary uses may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by the Municipality to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. Subsequent By-laws granting extensions of up to three years may be passed. However, once the By-law has lapsed, the use must cease or otherwise will be viewed as contravening the Implementing Zoning By-law.

Prior to the approval of a Temporary Use By-law, Council shall be satisfied that:

- a) the temporary use does not require major capital investment or alteration to the existing landscape;
- b) the proposed use is compatible with surrounding land uses;
- c) the proposed use does not require the extension of municipal services;
- d) the developer has entered into an agreement with the Municipality specifying the conditions under which the use may be permitted;
- e) the By-law shall specify a maximum time period for which the use may be permitted; and,

- f) the proposed use will not have a negative impact on natural heritage features such as but not limited to wetlands, fish habitat and deer wintering areas.

#### **10.3.4 Holding Provisions**

Council may utilize Holding provisions as provided for under Section 36 of the Planning Act in order to establish zoning provisions prior to completing technical, administrative, or financial aspects of the development. Where Council uses a Holding provision, the use of land may be restricted to existing uses until one or more of the following conditions have been fulfilled:

- a) a Site Plan Agreement or Subdivision Agreement as may be required has been completed between the Municipality and the developer;
- b) all engineering plans and arrangements with respect to municipal services have been completed;
- c) the financial requirements of the Municipality have been satisfied;
- d) existing mine hazards have been rehabilitated in accordance with the Mining Act;
- e) an archaeological assessment, to the satisfaction of the Province, has been undertaken by an archaeologist licensed under the Ontario Heritage Act, and any significant archaeological resources have been conserved by removal and documentation, or preservation on site, to the satisfaction of the Province; and,
- f) site contamination or other environmental constraints have been appropriately addressed.

#### **10.3.5 Interim Control By-laws**

In accordance with the Planning Act, Interim Control By-laws may be used to limit the use of lands, buildings or structures in an area where Council has initiated a land use planning study.



## 10.4 SITE PLAN CONTROL

In accordance with Section 41 of the Planning Act, the Municipality may utilize Site Plan Control to ensure that development in the Municipality is attractive and compatible with adjacent uses, appropriately serviced and accessed and otherwise in conformity with the goals and strategic objectives of this Plan.

The entire Municipality shall be designated as a Site Plan Control Area.

Council may delegate Site Plan Approval to municipal staff in order to ensure that the process does not create undue delay or additional costs in the development process.

Any required site plan agreement shall deal with the following, as appropriate:

- a) road widenings;
- b) location of vehicular access points;
- c) loading, parking and driveway locations;
- d) the surfacing of loading, parking and driveway areas;
- e) the location and design of walkways and walkway ramps,
- f) the location, massing and conceptual design of any buildings and structures;
- g) the character, scale, appearance, design and sustainable design features;
- h) the location and type of lighting, landscaping;
- i) preservation of natural vegetation to act as vegetative buffers to protect water quality and other environmental features;
- j) the location and type of garbage storage;
- k) the location and type of accessibility ramps;
- l) the location and nature of easements;
- m) the grade and elevation of the land;
- n) the type and location of storm, surface and wastewater disposal facilities;

- o) the location and type of snow removal facilities; and,
- p) other matters as may be required to implement this Plan.

The Municipality may by by-law control the placement of sustainable design elements on any adjoining highway under a Municipality's jurisdiction. The Municipality may impose conditions that may require the provision, by the applicant, of plantings, paving treatment, street furniture, bicycle racks, waste containers and ramps on a public right-of-way.

The placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007 is exempt from site plan control.

## **10.5 PUBLIC MEETINGS**

Council shall hold public meetings for planning applications in accordance with the requirements of the Planning Act. However, Council may eliminate the requirement for public Notice of a meeting for a minor Official Plan Amendment or Zoning By-law Amendment which:

- a) changes section numbers or the order of text but does not add or delete sections;
- b) consolidates amendments, which have previously been approved;
- c) corrects typographic, grammatical or mapping errors which do not affect the intent or application of the policies or provisions of this Plan; or
- d) rewords policies or re-illustrates mapping for the purpose of clarification only without changing the intent or purpose of the policies or mapping.

## **10.6 MAINTENANCE AND OCCUPANCY BY-LAW**

The objective of implementing a Property Maintenance and Occupancy By-law is to maintain property values and the enjoyment of private property. Council may pass a By-law under the Building Code Act to establish minimum standards for:

- a) the physical condition of buildings and structures;
- b) the physical condition of lands; and,
- c) the adequacy of sanitary facilities.

## **10.7 COMMUNITY IMPROVEMENT PLANS**

These policies are intended to provide a basis and mechanism for the Municipality to utilize the provisions of Section 28 of the Planning Act to encourage the development, redevelopment revitalization and renewal of the Municipality of Callander. These policies provide a basis for the Municipality to enter into agreements with the private and public sector to create partnerships in the enhancement of the community.

Council may undertake Community Improvements in order to implement the policies of this Plan as municipal finances and other sources of funding permit. Wherever possible the City shall seek funding from senior government sources and other partnerships to assist in community improvement programs.

### **10.7.1 Community Improvement Areas**

The Callander Settlement Area as shown on Schedule A-1, shall be defined as Community Improvement Area.

### **10.7.2 Community Improvement Plans**

Within Community Improvement Areas defined by Council, Council may prepare and adopt Community Improvement Plans that will identify specific public and private projects and works that are intended to improve the appearance and contribute to the economic viability and safety of an area. Community Improvement includes projects associated with energy efficient land uses and buildings as well as affordable housing. In addition the Community Improvement Plan may identify incentives that may be used by the Municipality to encourage investment in private lands and public works programs designed to improve economic development and safety in the Community Improvement Plan Area.

### **10.7.3 Community Improvement Projects**

Community Improvement projects may include but not be limited to:

- a) The development of a municipal wide recreational hiking and cycling trail and parks system to view natural features;
- b) Improvements to sidewalks and road surfaces to enable safe and comfortable travel by pedestrians, bicycles and vehicles;
- c) Improvements to the commercial core of Callander with street trees, banners, special pedestrian lights, flower poles and pots;

- d) Improvements to the road system to minimize traffic conflicts and congestion, merging of parking areas and land acquisition as may be necessary to develop new roadways;
- e) Improvements to signage on the highway and gateway features into the Municipality;
- f) Improvement to Centennial Park with a bandstand, water park and farmers market;
- g) Improvements to landscape planting at the Community Centre; and,
- h) Encouragement of residents, business owners and service groups to participate in tree planting and street beautification programs and improvements to private buildings and properties.

Improvements to private lands and buildings including:

- a) building facades;
- b) signs;
- c) parking areas;
- d) landscaping; and,
- e) adding affordable residential units.

## **10.8 AMENDMENTS TO THE PLAN**

An amendment to Schedule 'A', or 'A-1' or to the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. In considering an amendment to Schedule 'A' or 'A-1' with a view of designating additional areas for a particular use, changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have regard to the following criteria:

- a) the need for the proposed use;
- b) the extent to which the existing areas designated for the use are developed, and the nature and adequacy of such existing development;
- c) the physical suitability of the land for such proposed use; and,
- d) the location of the areas under consideration with respect to:

- i) the adequacy of the existing and proposed roadway system;
- ii) the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
- iii) the availability of uncommitted water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports which the Council shall request from the developer and subject to the approval of the Province, the Medical Officer of Health and any other appropriate authority deemed advisable;
- iv) the compatibility of such proposed use with uses in the surrounding area; and,
- v) the potential effect of the proposed use on the financial position of the Municipality.

## **10.9 MONITORING**

Following adoption of this Plan, the Clerk shall prepare an annual report outlining how the Plan is being implemented. This report shall include:

- a) the number of lots created in each designation and the proportion of lots created in the Callander Settlement Area in relation to the Rural Areas and the Shoreline Areas;
- b) the number of building permits issued for residential, industrial and commercial buildings;
- c) a summary of applications for rezoning and amendments to this Plan;
- d) Population growth in the Municipality; and,
- e) the costs of any changes in the level of services provided by the Municipality as a result of development.

## **10.10 PLAN REVIEW**

This Plan may be revised as required, at any time to incorporate new objectives, policies and specific designations. The Plan will be reviewed, in whole, or in part, not less frequently than every five years to ensure that it continues to embody the policies of the Municipality of Callander Council and to ensure that it has regard for matters of

provincial interest, is consistent with the Provincial Policy Statements and the Municipal Strategic Plan.

## **10.11 PLANNING APPROVALS**

In considering applications for Official Plan amendment, Zoning By-law amendment, Plans of Subdivision, Plans of Condominium, Consents, Minor Variances, and other planning approvals, Council shall have regard to this Official Plan and the Provincial Policy Statement issued by the Province of Ontario.

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## 11.0 INTERPRETATION

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### 11.1 LAND USE DESIGNATIONS

It is intended that the boundaries of the Land Use categories shown on Schedule 'A' and 'A-1' of this Plan, shall be considered as general only, and are not intended to define the exact limits of such areas except in the case of roads, railways, and other physical barriers that provide definitive boundaries. Minor adjustments may be made to these boundaries for the purpose of any Zoning By-law without necessitating an amendment to this Plan. Other than minor adjustments, no areas or zones, except as provided in this Plan, shall be created that do not conform with this Plan.

Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

### 11.2 TECHNICAL AMENDMENTS

All numbers and quantities shown in this Official Plan shall be considered to be Approximate. Technical revisions to this Official Plan are permitted without Official Plan amendments provided they do not change the intent of the Plan.

Technical Amendments include:

- a) Changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps;
- b) Altering punctuation or language for consistency;
- c) Correcting grammatical, dimensional and boundary, mathematical or typographical errors; and,
- d) Adding technical information to maps or schedules.

An amendment to this Official Plan shall be required where a policy, designation, schedule or principle is added, deleted or significantly altered.

References to any legislation, authority or agency which ceases to exist subsequent to the preparation of this Official Plan, and to whom

responsibilities relating to this Plan or its implementation are charged, shall be transferred to any subsequent legislation, authority or agency which assume responsibility without requiring an amendment to this Plan.

### **11.3 USES**

Examples of permitted uses as included in this Plan are intended to illustrate a range of activities in each respective land use designation. Specific uses and related regulations shall be defined for land use designations by the implementing Zoning By-law.

### **11.4 ACCESSORY USES**

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted.