

AGENDA

Regular Council Meeting

Tuesday, December 5, 2023, at 6:30 p.m.

Powassan Council Chambers (Firehall Station 1)

1. CALL TO ORDER

2. LAND ACKNOWLEDGMENT

“We respectfully acknowledge that we are on the traditional territory of the Anishinaabe Peoples, in the Robinson-Huron and Williams Treaties areas. We wish to acknowledge the long history of First Nations and Métis Peoples in Ontario and show respect to the neighbouring Indigenous communities. We offer our gratitude for their care of, and teachings about, our earth and our relations. May we continue to honour these teachings.”

3. ROLL CALL

4. DISCLOSURE OF MONETARY INTEREST AND GENERAL NATURE THEREOF

5. APPROVAL OF THE AGENDA

6. DELEGATIONS TO COUNCIL

6.1 Paul Goodridge, Goodridge Goulet Planning & Surveying Ltd. – Byers Consent Application and New Official Plan

7. ADOPTION OF MINUTES OF PREVIOUS OPEN SESSION MEETINGS OF COUNCIL

7.1 Regular Council meeting of November 21, 2023

8. MINUTES AND REPORTS FROM COMMITTEES OF COUNCIL

8.1 Maple Syrup Committee Meeting minutes of November 23, 2023

9. MINUTES AND REPORTS FROM APPOINTED BOARDS

9.1 Powassan and District Union Public Library minutes of October 16, 2023

10. STAFF REPORTS

10.1 Treasurer/Director of Corporate Services, B. Robinson – Purchase of sidewalk plow

10.2 Treasurer/Director of Corporate Services, B. Robinson - Building Inspector Shared Services Agreement

10.3 Public Works Foreman, T. Tennant – Public Works Update

11. BY-LAWS

11.1 Bylaw 2023-27 Appoint Deputy Clerk

11.2 Bylaw 2023-28 CBO Shared Services Agreement

12. UNFINISHED BUSINESS

12.1 Consent Application B40/POWASSAN/2023 (Maple Hill Road)

13. NEW BUSINESS

13.1 Regular Council meeting of January 2, 2024

13.2 Councillor R. Hall – MTO Agreement/Sidewalks in TC

13.3 North Bay Mattawa Conservation Authority - Agreement for Services

13.4 Planscape – Draft of Municipality of Powassan’s Official Plan Update

14. CORRESPONDENCE

14.1 Near North Crimestoppers – Crimestoppers Month January 2024

14.2 Powassan Lions Club – Christmas Baskets

15. ADDENDUM

16. NOTICE OF SCHEDULE OF COUNCIL AND BOARD MEETINGS

17. CLOSED SESSION

17.1 Adoption of Closed Session Minutes of November 21, 2023

17.2 Labour Relations – Section 239(2)(d) of the Municipal Act and under Section 9(4)(d) of the Procedural Bylaw – matters regarding labour relations or employee negotiations.

18. MOTION TO ADJOURN

Regular Council Meeting
Tuesday, November 21, 2023, at 6:30 pm
Powassan Council Chambers

Present: Peter McIsaac, Mayor
Markus Wand, Deputy Mayor
Dave Britton, Councillor
Randy Hall, Councillor
Leo Patey, Councillor

Staff: Brayden Robinson, Treasurer/Director of Corporate Services
- Authority Delegated by the Clerk under section 228(4) of
the Municipal Act, 2001

Presentation: None.

Disclosure of Monetary Interest and General Nature Thereof: None.

- 2023-359** Moved by: R. Hall Seconded by: M. Wand
That the agenda of the Regular Council Meeting of November 21, 2023, be approved. **Carried**
- 2023-360** Moved by: M. Wand Seconded by: L. Patey
That the minutes of the Regular meeting of council of November 7, 2023,
be adopted. **Carried**
- 2023-361** Moved by: L. Patey Seconded by: D. Britton
That the minutes from the Recreation Committee meeting of September 13, 2023,
be received. **Carried**
- 2023-362** Moved by: D. Britton Seconded by: R. Hall
That the minutes from the Golden Sunshine Municipal Not-Profit Housing Corporation
committee meeting of September 19, 2023, be received. **Carried**
- 2023-363** Moved by: R. Hall Seconded by: M. Wand
That the District of Parry Sound Social Services Administration Board's Chief
Administrative Officer's Report dated November 2023, be received. **Carried**
- 2023-364** Moved by: M. Wand Seconded by: L. Patey
That the memo from Treasurer/Director of Corporate Service, B. Robinson, regarding 2023
Holiday Hours be received; and,

FURTHER that the Municipal office be closed from Monday, December 25, 2023
To January 1, 2024, inclusive. **Carried**

2023-365

Moved by: L. Patey Seconded by: D. Britton
That the Public Meeting Minutes from October 3, 2023 – Review Application 2023-3,
from Deputy Clerk, K. Bester, be received.

Carried

2023-366

Moved by: D. Britton Seconded by: R. Hall
BE IT RESOLVED that as per Resolution 2023-357 regarding Correspondence from
Waterloo MPP, Catherine Fife, the Council for the Municipality of Powassan Supports
Bill 21 and the amending of the Residents’ Bill of Rights set out in Section 3 of the Long-
Term Care Act, 2021 by adding the right of residents to not be separated from their spouse
upon admission, but to have accommodation made available for both so they can continue to
live together; and

FURTHER that staff be directed to forward the resolution to Waterloo MPP, Catherine
Fife and all other Ontario municipalities.

Carried

2023-367

Moved by: R. Hall Seconded by: M. Wand
That the correspondence from MPAC regarding the Agreement between the Corporation of
the Municipality of Powassan and MPAC and the accompanying Documents be received;
and,

FURTHER that the Mayor and Director of Corporate Services be given authority to
execute the agreement.

Carried

2023-368

Moved by: R. Hall Seconded by: L. Patey
Where the Council for the Municipality of Powassan has received consent Application
B40/POWASSAN/2023 for the property known as Part of Lot 20, Concession 10, PIN
52208-0506 (LT): and

Whereas the application as presented is not in conformity with the Municipality of
Powassan’s Official Plan and all development within the municipality must conform to the
Official Plan.

Now therefore an Official Plan Amendment must be completed prior to Council for
The Municipality of Powassan providing support for the Consent application.

Deferred

2023-369

Moved by: L. Patey Seconded by: D. Britton
That the correspondence from NECO regarding funding for the 2024 Maple Syrup
Festival, be received; and,

FURTHER that staff be directed to execute the agreement.

Carried

2023-370

Moved by: D. Britton Seconded by: R. Hall
WHEREAS Canada has 90,000 volunteer firefighters who provide fire and all hazard
emergency services to their communities; in addition, approximately 8,000 essential search
and rescue volunteers respond to thousands of incidents every year; and,

WHEREAS many of these individuals receive some form of pay on call, an honorarium,
or are given some funding to cover expenses, but they do not draw a living wage
from firefighting; and;

WHEREAS without volunteer firefighters and search and rescue volunteers, thousands of communities in Canada would have no fire and emergency response coverage; and;

WHEREAS in 2013, the federal government initiated a tax credit recognizing these individuals and calling on the federal government to increase this tax credit from \$3,000 to \$10,000, and;

WHEREAS volunteer firefighters account for 71% of Canada's total firefighting Essential first responders;

- The tax code of Canada currently allows volunteer firefighters and search and rescue volunteers to claim a \$3,000 tax credit if 200 hours of volunteer services were completed in a calendar year;
- This works out to a mere \$450 per year, which we allow these essential volunteers to keep of their own income from their regular jobs, \$2.25 an hour;
- If they volunteer more than 200 hours, which many do, this tax credit becomes even less;
- These essential volunteers not only put their lives on the line and give their time, training and efforts to Canadians, but they also allow cities and municipalities to keep property taxes lower than if paid services were required;
- It would also help retain these volunteers in a time when volunteerism is decreasing.

THEREFORE, BE IT RESOLVED THAT the Council of the Municipality of Powassan call upon the Government of Canada to support Bill C-310 and enact amendments to subsections 118.06 (2) and 118.07 (2) of the Income Tax Act in order to increase the amount of the tax credits for volunteer firefighting and search and rescue volunteer services from \$3,000 to \$10,000; and;

FURTHERMORE, THAT a copy of the resolution be shared with the Association of Fire Chiefs of Ontario, Association of Municipalities of Ontario and all Ontario municipalities.

Carried

2023-371

Moved by: R. Hall

Seconded by: M. Wand

That the correspondence from the Township of McKellar calling for an amendment to the Legislation Act, 2006 be received; and,

FURTHER that the Council of the Municipality of Powassan support the resolution No. 23-671 passed by the McKellar Township Council to amend the Legislation Act, 2006 to include digital publications as an acceptable means of publication and notice requirements for Provincial Acts and Regulations;

AND FURTHER that staff forward this resolution to the Minister of Municipal Affairs and Housing; Nipissing MPP, Vic Fedeli; The Association of Ontario Municipalities (AMO); CEO and President of Metroland Media Group, Neil Oliver, and all Ontario Municipalities.

Carried

2023-372

Moved by: M. Wand

Seconded by: L. Patey

That the correspondence from the Maple Ridge Family Health Organization, be received,

AND further that council directs staff to respond.

Carried

2023-373

Moved by: L. Patey Seconded by: D. Britton

That the correspondence from the Aids Committee of North Bay and Area regarding their Red Scarf Campaign be received,

AND FURTHER that Council supports their campaign and approves their request. **Carried**

2023-374

Moved by: D. Britton Seconded by: R. Hall

That Council now adjourns to closed session at 7:24 pm to discuss:

17.1 Adoption of Closed Session Minutes of October 17, 2023

17.2 Labour Relations – Section 239(2)(d) of the Municipal Act and under Section 9(4)(d) of the Procedural Bylaw – matters regarding labour relations or employee negotiations.

17.3 Identifiable Individuals – Section 239(2)(b) of the Municipal Act and under Section 9(4)(b) of the Procedural Bylaw – matters regarding an identifiable individual, including municipal or local board employees.

17.4 Legal Matters – Section 239(2)(f) of the Municipal Act and under Section 9(4)(f) of the Procedural Bylaw – advice that is subject to solicitor-client privilege, including communications necessary for that purpose. **Carried**

2023-375

Moved by: M. Wand Seconded by: L. Patey

That Council now reconvenes to regular session at 8:48 pm.

Carried

2023-376

Moved by: D. Britton Seconded by: R. Hall

That the Municipality directs staff to advise the owner of the property at 137 Main Street that an appeal has been received on the Official Plan Amendment which was passed on October 17th; and,

FURTHER that the Municipality does not intend to actively defend the appeal and that the property owner should consult with appropriate professionals about defending the appeal on its own.

If requested, the Municipality could also advise the Ontario Land Tribunal that a Case Management Conference should be convened so that the positions of the property owner and appellant can be clarified. **Carried**

2023-377

Moved by: L. Patey Seconded by: D. Britton

That Council now adjourns at 8:50 pm.

Carried

Mayor

Clerk

**POWASSAN MAPLE SYRUP FESTIVAL
COMMITTEE MEETING MINUTES
NOVEMBER 23, 2023**

Call to order:

Meeting called to order at 6:10 pm. with the following members in attendance:

Monika Gibbings / Mike Odrowski / Christine Wendover/ Leo Patey / Diane Cole / Lori Costello / Andy Straughan / Audrey & Dave Matthews / Jo-Ann Long

New Member – Angela Ashford

Municipal staff in attendance: Kim Bester

Call to Order – Moved by Andy / Seconded by Christine – **Carried**

1. Review of the October 26 ,2023 minutes – Moved by Monika Gibbings/ Seconded by Lori Costello – **Carried.**

2. **Correspondence** –

Andy mentioned that he'd spoken to Konor at Workplace Safety North about attending the festival and providing chainsaw safety information, chain sharpening services, etc. He will be a sponsor for the event so no fee associated with his attendance.

3. **Maple Producers** – NA

4. **New Business** –

2024 – Mascot -

Leo introduced Skyler who designs and creates costumes. Skyler showed us his hyena costume and explained the process of putting it together. The cost for a full body costume would be around \$2000, with a vest/shirt/arms and head costume costing a bit less. Members suggested having a horse or other mascot for the festival. Kim to coordinate with Skyler on having a few drawings done to show us some options. The cost for the mascot costume to be included for in our funding requests to NOHFC and Fednor.

Chair Position –

Mike Odrowski accepted the Chair position and Leo will be the Co-Chair.

Moved by JoAnn Long, seconded by Audrey Matthews - **Carried**

2024 Stage Location –

Evan Hughes as graciously agreed to let us use his property in front of the laundromat for our stage / musical entertainment. Kim to confirm whether hydro use can also be accessed from the laundromat.

2024 Events – Update –

The committee discussed the following:

The Great Canadian Lumberjack Show – with Amateur Competition
Wood Carver
Science North’s Natural Curiosity Interactive Display
Fur Harvesters Display – Don Rumford
Blacksmithing Demo – Matt Larivee
Agricultural Demo – Natasha Kunkel
Antique Farm Equipment Display – Clarence Nadrofsky
North Bay Astronomy Club
Mason’s Chip Program

We are still looking for a sheep shearer / someone to do the sap boiling and face painters

2024 Funding Applications - Update

Neco has confirmed that they will provide us with \$2000. Monies to be used to purchase a tent structure for the offsite parking area and either benches or picnic tables.

We will also be putting in applications to NOHFC’s Cultural Supports Program (Community Events Stream) and Fednor’s newly released Tourism Growth Program.

5. Comments / Concerns –

We should include for some type of bleacher in our funding applications (to be used for the Lumberjack Show)

Dave to ask Mark Giesler if he would consider allowing the committee to have a festival billboard put on his property adjacent to Highway 11.

Motion to end the meeting at 7:10 pm – moved by Leo Patey, seconded by Lori Costello.

Carried

Next meeting - Thursday, January 18th, at 6:10 pm – in Elm meeting room

Minutes approved by: _____
Mike Odrowski – Chair

Recorded by : _____
Kimberly Bester, Secretary

Powassan & District Union Public Library

Minutes for Monday, October 16, 2023 – 6:00 p.m.

Board Meeting @ Library

In-person: Tina Martin, Laurie Forth, Bernadette Kerr, Steve Kirkey, Valerie Morgan, Leo Patey, Debbie Piper, Pat Stephens, Marie Rosset

Absent: Doug Walli

Item	Action	Responsibility
Call to order	6:10 pm	
Respect and Acknowledgement Declaration	Declaration read by CEO	
3. General Consent Motion: Present the general Consent Motion for September 2023, which includes: <ol style="list-style-type: none"> a) Approval of October 16, 2023 Agenda b) Approval of Minutes from the September 18, 2023 meetings c) Approval of the September 2023 Financial Statements 	Motion: 2023-29 That the General Consent Motion for October 2023 be adopted as amended Moved by: Leo Patey Seconded by: Steve Kirkey	
Disclosure of pecuniary interest	None	none
General Business <ol style="list-style-type: none"> a) Doug Walli Proposal b) Lisa LaFlamme Event Financial outcomes c) Ideas for Using Funds 	Instead of stepping down as a Board member Doug Wall will take a leave of absence until January 2024 With a gross of \$25,070 less expenses of \$9,886, the profits for the event are \$15,184. These figures are likely to vary due to some late expected revenues and expenses. Various ideas were proposed: <ul style="list-style-type: none"> • Vox Books for kids • Privacy room withing library • Hanging electric fireplace in Enever room • New Shelving from Open Book • Makerspace tables • Addition to Library of things 	Evaluate feasibility of ideas – CEO, Fundraising Committee

	<ul style="list-style-type: none"> • Repair fence at front of library 	Fence: Leo Patey and Steve Kirkey volunteered to repair
d) Jodi Roadknight Volunteer	Jodi Roadknight will get involved in activity planning as a volunteer. We are thrilled to have her on board.	
e) Fall Events	<p>Nov 4 – Friends of the library crafting items sale.</p> <ul style="list-style-type: none"> - 3 Community Conversations Events planned for November 2023 <p>Week of Nov 27 – Setting the 2023 Christmas Storywalk on Main Street Dec 2 – Parade of Lights Dec 15 - Christmas Open House</p>	
f) Volunteer of the year 2023	Mary Heasman was unanimously nominated.	
g) Musical Instruments Library – Update	The program is now seeking other gently used musical instruments and is ready to start promoting it in the media.	Bernadette Kerr
h) Strategic Plan – Update	Deferred until February 2024	CEO
i) Tentative 2024 Planning	During the October 13 staff meeting, the 2024 Community Conversations were planned as were many activities for teens. 2024 will be busy at the library!	Library Staff
j) Grants Update - NOHFC	Application to cover the cost of all light fixtures – Submitted	CEO
- OTF Resilience Grant 2023	Municipality has agreed to allow library to apply through them – Thank you!	CEO

- Seniors Grant	Last year's grant application for senior's bussing will be resubmitted in 2024	CEO
- PLOG	Provincial Libraries' Operational Grant - submitted	
Correspondence	None to report	
Committee Reports		
a) Property Committee	Nothing to report	
a) Financial Committee	Financials are up to date. Next month a preliminary 2024 Budget will be presented. reports will be available next month.	CEO
b) Fundraising Committee	Overall, the LL Event was a smashing success. All feedback has been positive.	
c) Policy Committee report	Next month 5 to 6 policies will be reviewed.	
d) Friends of the Library	Friends have agreed to cover the cost of refreshing the outdoor sign at the front of the library and to cover the cost of making new covers for the two chairs from IKEA. They have also committed \$1,000 towards the replacing of the interior light fixtures	
• Update		
Adjournment	Motion: 2023-30 That the October 23, 2023 meeting be adjourned at 7:20pm Moved by: Bernadette Kerr	Next meeting November 20, 2023

Vice Chairperson: 
Kristina Martin, Chair *Debbie Piper - Vice Chair*

Secretary: 
Marie Rosset, CEO

To: Council
From: Treasurer/Director of Corporate Services
Re: Trackless for Sidewalk Clearing

RECOMMENDATION:

That the staff report regarding the Trackless be received; and that staff be authorized to purchase the Trackless from Evan Hughes Excavating for \$12,000.

ANALYSIS:

For the last few years, the Municipality has used the services of Jeff Kmith to clear sidewalks in Trout Creek. The total cost of contracting this service has ranged from \$8,000-\$13,000 per year. We have been informed that, due to the rapidly escalating cost of insurance, this arrangement is not feasible for the contractor moving forward.

Staff have been in contact with Evan Hughes Excavating regarding the prospect of renting their Trackless for the upcoming winter season. However, in these discussions we have been offered the opportunity to purchase their machine for \$12,000. It is the opinion of staff that this is a reasonable valuation for the equipment.

Because this represents a sole-source procurement process, a resolution of Council is required to authorize the purchase. There is a sufficient positive variance in the operating budget to date to allow this purchase to be financed without any need for borrowed funds. Given the nominal difference between the proposed purchase price and the historical annual cost of contracting the service, it is the recommendation of staff that this purchase be executed.

To: Council
From: Treasurer/Director of Corporate Services
Re: Building Inspector Shared Services Agreement

RECOMMENDATION:

That the staff report regarding the Building Inspector Shared Services Agreement be received; and that a By-law be executed to approve the agreement and appoint a building inspector.

BACKGROUND AND ANALYSIS:

This past summer, the Municipality of Powassan was first approached by the Municipality of Callander regarding entering into a shared services agreement for the provision of building department services, specifically for emergency building inspections.

Enclosed please find a draft agreement for Council consideration. The agreement is based on an hourly rate, plus mileage, to associated with offering services to our neighbouring municipalities. We anticipate that this may occur two to three times per year. To mitigate the impact on our Municipality's operations, it is the intention of this agreement that services generally be provided outside of normal business hours, an approach that has been endorsed by our CBO.

It is important to note that the respective municipalities would not review and/or issue permits on behalf of the Municipality. The intent is simply to conduct inspections that would naturally prevent the project from progressing while a building official is away.

Note that there is some urgency from the Municipality of Callander to have this agreement executed, as they will be requiring the services of CBO Martin in very short order. Accordingly, a By-law has been drafted for consideration at this meeting.

SHARED BUILDING INSPECTOR SERVICE BACK-UP AGREEMENT

("Agreement")

BETWEEN:

The Corporation of the Municipality of Callander
(Hereinafter referred to as "Callander")

AND:

The Corporation of the Township of Nipissing
(Hereinafter referred to as "Nipissing")

AND:

The Corporation of the Municipality of Powassan
(Hereinafter referred to as "Powassan")

WHEREAS the *Building Code Act* and the regulations thereto require Municipality's to appoint a Chief Building Official and Inspectors,

AND WHEREAS the *Building Code Act* also requires Chief Building Officials and Inspectors to complete inspections of buildings under construction within a certain timeframe and at specific stages of construction,

AND WHEREAS the Callander, Nipissing and Powassan have appointed a Chief Building Official for their respective needs,

AND WHEREAS the *Building Code Act* permits Municipalities to enter into agreement to obtain the expertise and resources required to meet the requirements of the *Building Code Act*,

AND WHEREAS the Callander, Nipissing and Powassan wish to enter into an Agreement for the sharing of department officials, expertise and resources on a back-up basis and upon the terms and conditions set out in this Agreement, pursuant to Section 3 of the *Building Code Act*,

NOW THEREFORE BE IT RESOLVED in consideration of the terms, covenants, and provisions herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. TERM

The term of this Agreement (the "Term") shall begin December 12, 2023 (the "commencement date") and shall continue to remain in effect for a five (5) year term ending on December 11, 2028, unless any party terminates this Agreement by providing the other parties with written notice of termination ninety (90) days prior to the effective date of termination.

2. SERVICES

- 2.1 Recognizing that there are times where a respective municipality may be without a Chief Building Official, be it for vacation, sick time, or any other supported leave, each of the respective municipalities agree to assist (where possible) and complete the Services as set out in Schedule "A", during the respective term within this Agreement.
- 2.2 Each of the respective municipalities hereby appoint the individuals that are active in the Chief Building Official roles as Building Inspectors for their respective municipality, to be consistent with the *Ontario Building Code Act* and the *Municipal Act*.
- 2.3 During the Term, any of the respective municipalities may request the services from any of the other municipalities, delivering the request by written notice to one of the respective municipalities for Building Inspector services. Such written notice shall be provided in the format as attached in Schedule "B".
- 2.4 The respective municipalities hereby acknowledge that all Ontario municipalities are required to complete inspections within certain timelines at different stages of construction, whether or not those inspections are requested by the contractor/owner of the project. The respective municipalities agree to make reasonable efforts to meet the required deadlines. The respective municipalities acknowledge that it may not be possible for the other party to meet all deadlines for the requisite inspections and building permit applications.
- 2.5 Subject to the terms, covenants and provisions of this Agreement, the respective municipalities hereby agree to perform the services in accordance with legislation.
- 2.6 Where the services are provided by one party to work within the boundaries of another municipality, all administrative and inspection support services shall be completed by the administration and staff for the Municipality having jurisdiction. The party retained under this agreement to complete the service shall have no responsibility to complete any administration, filing work or other similar administrative work.
- 2.7 Under Section 7 of the *Ontario Building Code Act*, all Ontario municipalities are required to establish a Code of Conduct. It is the responsibility of each party to ensure that an established Code of Conduct is in place in their respective areas of jurisdiction.
- 2.8 The respective municipalities acknowledge that applicants in the respective municipalities are providing plans, specifications, personal and other information for the purposes of obtaining the requisite approval under the *Ontario Building Code*. The respective municipalities hereby agree to obtain such authorizations and consents as may be required by law to deliver such plans, specifications, personal and other information to the respective municipalities to enable that party to provide the services. Without limiting the generality of the foregoing, the parties agree to obtain any consent required under any provincial legislation in Ontario, including but not limited to

consents required under the *Freedom of Information and Protection of Privacy Act* and the *Personal Information Protection and Electronic Documents Act*, as amended.

2.9 Records

All records and information received by any participating party for the purpose of providing the Services shall remain the property of the Municipality who provided the records for information and shall not be divulged or revealed to third parties. Such records and information shall, upon termination of this Agreement, be returned to the Municipality that provided the same, subject to the right of each respective municipality retaining copies for its own records.

2.10 Transfer of Powers

The municipalities agree and hereby acknowledge that this Agreement shall not constitute a transfer of powers under the *Municipal Act 2001*, as amended. The municipalities are being retained as independent contractors to provide for the Services and carry out the roles of Chief Building Officials as set out in Section 1.1 of the *Building Code Act*. For clarity, the Municipality having jurisdiction shall remain the entity providing authority to issue Building Permits, Change Certificates, Occupancy Certificates, Work Orders, Stop Work Orders and any other orders or permits and take any other actions required under the *Building Code Act*, the Building Code or any other regulations relating thereto. The party providing for the Services under this Agreement may recommend certain Actions, but will ultimately be the entity responsible under legal authority.

2.11 Human Resources

The Chief Building Official is responsible for abiding by the policies passed by the Council of the respective municipality. The CBO shall be cognizant of the policies/procedures passed by the municipality receiving service. It shall be the responsibility of the head of staff of the municipality receiving service to educate the CBO on the pertinent policies/procedures.

Should there be any performance issues associated with the CBO, the municipality receiving service shall report the information to the head of staff of the respective municipality, for processing.

3. SUPPLIES AND PROFESSIONAL DEVELOPMENT

- 3.1 The Municipality receiving service shall be responsible for providing, at its own expense, those supplies, materials, and equipment required for the Building Inspector to provide Service.

4. PAYMENT

- 4.1 Invoicing shall occur from the municipality providing the service to the municipality receiving the service within thirty (30) days of obtaining the service.
- 4.2 The fees payable to the Municipality for the rendering of the Services shall be billable to the municipality requesting the service at a rate presented below for Building Inspector services. On each November 1st of this Agreement, the fees payable under this section shall be subject to a four (4) percent increase.

Rate for Services

	Hourly	
	Regular Time	After Hours
November 1, 2023	\$70.00	\$105.00
November 1, 2024	\$73.00	\$110.00
November 1, 2025	\$76.00	\$115.00
November 1, 2026	\$79.00	\$120.00
November 1, 2027	\$82.00	\$125.00

- 4.3 Hourly rates are established for the purpose of conducting an inspection in the Municipality requesting service.
- 4.4 In addition to the Fees, mileage shall be charged by the party providing the services, at the Automobile Deduction Limits and Expense Benefit Rates set by the Government of Canada for that given year.

5. TERMINATION

It is understood and mutually agreed that this Agreement may be terminated upon no less than ninety (90) days prior written notice by any Party.

In the event of termination of the Agreement for any reason:

- (a) The municipalities shall return to one another all records obtained by the respective municipalities in connection with the performance of the Services, subject to the right of the party performing the Services to retain copies of the said records for its own files,
- (b) There shall be a reconciliation of all amounts due and owing to the municipality for the Services as of the date of termination, and
- (c) Termination shall not relieve the respective municipalities from any obligation to the other party that may be unfulfilled on termination.

6. EXTENSION, MODIFICATION AND RENEWAL

- 6.1 This Agreement may be amended or modified from time to time, upon agreement by the respective municipalities.
- 6.2 This Agreement shall expire five (5) years from its commencement date, at which time a review of the Agreement shall be undertaken. A By-law shall be passed at the Council of each benefitting party to renew the Agreement, once a five-year review has taken place, and it is determined by all Parties that the continuation of this Agreement is in the best interest of all participating Municipalities.

7. INDEMNIFICATION AND INSURANCE

7.1 Indemnification:

Each party shall indemnify, defend, and save harmless the other party (including its elected officials, officers, directors, employees, agents, and representatives) from any and all claims, demands, costs (including legal costs on a substantial indemnity basis), penalties, fines, fees, royalties, damages (including indirect, special, remote, and consequential damages) and causes of action, including, without limitation, proprietary or personal injury (including death) that arise from, either directly or indirectly, or relate to, any act or omission of the other party, its directors, officers, employees, agents, affiliates, partners (general or limited), members, joint venturers, contractors, subconsultants, and other representatives, in connection with a party's rights and responsibilities pursuant to this Agreement, except to the extent that same was caused by the negligence or misconduct of the other party. The rights to indemnity contained herein shall survive the early termination or expiry of this Agreement.

7.2 Clarification:

Notwithstanding the above, each municipality receiving service shall indemnify, defend, and save harmless the municipality providing service (including its elected officials, officers, directors, employees, agents, and representatives) and the CBO from any and all claims, demands, costs (including legal costs on a substantial indemnity basis), penalties, fines, fees, royalties, damages (including indirect, special, remote, and consequential damages) and causes of action, including, without limitation, proprietary or personal injury (including death) that arise from, either directly or indirectly, or relate to, any act or omission of the CBO in performing his duties and Services on behalf of the municipality receiving service, except to the extent that same was caused by the negligence or misconduct of the CBO. The rights to indemnity contained herein shall survive the early termination or expiry of this Agreement.

7.3 Insurance:

Prior to the provision of Services pursuant to this Agreement, each municipality requesting service shall provide the municipality providing the service with the proof of

comprehensive general liability insurance with a minimum limit of two million (\$2,000,000). The insurance will include the respective municipality as an additional insured for the Services provided in this Agreement. Coverage should include, but not be limited to:

- Bodily and personal injury, including harassment and discrimination,
- Professional liability and errors and omissions insurance in the amount of not less than one million (\$1,000,000),
- Property damage insurance against loss or damage by perils of “all risks” to the extent available and generally obtainable from time to time,
- Products and completed operations,
- Blanket contractual liability, and
- Cross liability.

Coverage for liability arising out of an alleged breach of a statutory duty under applicable legislation will also be provided in the form of Errors and Omissions Liability coverage, subject to the same limit and cancellation clause noted above.

Each respective municipality shall provide Certificates of Insurance showing compliance with this provision to each of the respective municipalities, before delivering any request for Services from one another. Such Certificate shall provide that the required insurance coverage will not be cancelled or altered without thirty (30) days advance written notice to the additional insured, unless otherwise required by law.

8. DISPUTE RESOLUTION

8.1 Any disputes and controversies arising out of, or in any manner relating to, the Agreement shall be subject to the following dispute resolution procedure:

8.1.1 The dispute shall be documented in writing and referred to the head of staff of the municipality providing the service for joint resolution.

8.1.2 If the dispute cannot be resolved within ten (10) working days according to 9.1.1 above, upon twenty (20) calendar days written notice of a party’s desire to arbitrate such dispute or controversy, it shall be settled by arbitration by a designated Arbitrator skilled in matters of building code and other relevant legislation, authorized under the laws of Canada, and agreed to by both Parties. Such arbitration shall be subject to the *Arbitration Act, 1991, S.O. 1991, c.17*.

9. NOTICE

9.1 Any notice to be given pursuant to this Agreement shall be in writing and signed by the person giving such notice. Any notice, offer, payment, certificate or other communication required or desired to be given in connection with this Agreement may

be delivered personally or may be sent by pre-paid registered post, e-mail or facsimile transmission addressed to:

(a) If to the Municipality of Callander, at:

Municipality of Callander
ATTN: Senior Municipal Director
280 Main St North
PO BOX 100
Callander, ON POH 1H0

(b) If to the Township of Nipissing, at:

Municipal Administrator-Clerk-Treasurer
Township of Nipissing
45 Beatty Street
Nipissing, ON POH 1W0
Office Phone: 705-724-2144
Email: admin@nipissingtownship.com

(c) If to the Municipality of Powassan, at:

Municipality of Powassan
Attn: Clerk
250 Clark Street
PO Box 250
Powassan, ON POH 1Z0

10. SEVERABILITY

- 10.1 If any term, covenant or provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement or the application of such term, covenant or provision to the other parties or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby and each term, covenant or provision of this Agreement shall be valid and enforceable to the fullest extent of the law.

11. BINDING EFFECT

- 11.1 This Agreement shall ensure that to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

12. This Agreement shall replace and supersede any previous Shared Service Agreements.

13. This Agreement is subject to, and governed by, the laws of the Province of Ontario, and the laws of Canada applicable therein.

EXECUTED IN QUADRUPLICATE AND BINDING AS OF THE DATE OF EXECUTION BY BOTH PARTIES:

The Corporation of the Municipality of Callander

The Corporation of the Township of Nipissing

Per: _____

Mayor, Robb Noon

Per: _____

Mayor, Tom Piper

Per: _____

Municipal Clerk, Cindy Pigeau

Per: _____

Municipal Administrator, Kris Croskery-Hodgins

The Corporation of the Municipality of Powassan

Per: _____

Mayor, Peter Mclsaac

Per: _____

Clerk, Allison Quinn

Schedule "A"

The Service

1. Fulfills the roles of the Building Inspector, as described under the *Building Code Act*, to conduct inspection of the construction of all buildings at all phases of construction required under the Building Code Act, the Building Code and regulations thereunder, and issues inspection reports.
2. Review other materials to determine whether the proposed construction of the building complies with the Building Code.
3. To ensure property inspections are conducted upon request or complaint, or otherwise required by law and documented in the associated property files accordingly.
4. To maintain compliance with the: Municipal Act, 2001, S.O. 2001, c.25 (as amended and as it exists from time to time); Building Code Act, 1992, S.O. 1992, c.23 (as amended and as it exists from time to time); Occupational Health and Safety Act, R.S.O. 1990, c.0.1 (as amended and as it exists from time to time); and all other applicable legislation, regulations, bylaws, policies and procedures for each of the respective municipalities.
5. To act professionally and in the best interest of the Municipality.
6. To maintain in a good standing a Class "G" Ontario Driver's License.

Schedule "B"

The Request for Service

Municipal Logo

Municipality of _____

ADD ADDRESS

Attention: _____

RE: Request for Chief Building Official (CBO) Services

The Municipality of _____ and its Building Department kindly request that under By-law _____ being a "Shared Service Agreement" that the Municipality of _____ be retained for providing the services of their Building Department Officials.

Requested dates for department coverage:

From: [Click or tap to enter a date.](#)

To: [Click or tap to enter a date.](#)

Reason for request:

- Away of Vacation
- Other Supported Leave of Absence

How many hours/days do you anticipate requiring services during this timeframe?

What is the volume of inspections currently being experienced?

The proof of insurance will be provided upon confirmation of coverage.

The [Choose an item.](#) appreciates your cooperation and assistance. IF you have any questions or concerns, please contact our department staff for assistance at _____.

Yours truly,

To: Council
From: Public Works Foreman, T. Tennant
Re: Public Works Updates

RECOMMENDATION:

That the memo regarding Public Works Updates be received; and, further that council direct staff to communicate with the MTO.

ANALYSIS:

The following is an update on current Public Works projects/concerns:

Hydro at Memorial Park: In mid December Public Works Foreman, T. Tennant will be meeting with a Hydro One representative, at the cenotaph, to discuss what will be required to run hydro to the gazebo.

Trout Creek ditch at McDonald St and Corkery St - Public Works has removed several trees in this location. The tree removal will allow for more sunlight to enter, aiding in the rapidity of the spring thaw. Further clean up to be completed.

Plow Trucks Update - Public Works is now operating with new computerized sander controls in the three plow trucks. Public Works employees are receiving proper training and taking time to familiarize themselves with their use. GPS systems have been installed in nine Public Works vehicles and are capable of monitoring when the sanders are turned on or off.

Sidewalk Plow – The current contractor can no longer provide snow removal for the Trout Creek sidewalks due to increased insurance costs. With the purchase of another Trackless sidewalk plow, Public Works could clear the sidewalks themselves. The plow includes a snow blower, sander, sweeper, and water tank.

Sidewalks in Trout Creek – There have been concerns regarding some of the sidewalks not being plowed or maintained. This area of the sidewalks is the property of the MTO; therefore, to perform any maintenance could become a liability issue for the municipality. In addition, the Municipality was not consulted or invited during the planning or installation of the new sidewalks by the MTO. There is some concern with the size of the sidewalks they have installed: **First**, they do not meet the standards outlined in the Accessibility for Ontarians with Disabilities Act. **Second**, the narrow width of the sidewalks proves challenging for plowing and sanding with standard machinery.

There was also a mention of snow being piled up where the sidewalk sections meet. This will no longer occur.

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2023-27

Being a Bylaw to appoint a Deputy Clerk

WHEREAS pursuant to the Municipal Act, 2001 Section 228 (2), the Council of a municipality may appoint a Deputy Clerk who has the powers and duties of the Clerk under this act and any other Act; and,

WHEREAS the Council of the Corporation of the Municipality of Powassan deems it desirable to appoint a Deputy Clerk for the Municipality of Powassan and be able to act as the Municipal Clerk's designate; now,

THEREFORE, the Council of the Corporation of the Municipality of Powassan enacts as follows:

1. THAT Brayden Robinson be and is hereby appointed as Deputy Clerk for the Corporation of the Municipality of Powassan; and,
2. THAT this Bylaw shall come into force and take effect upon the date of final reading and passing thereof.
3. THAT Bylaw 2021-28 and Bylaw 2022-24 remain in effect.

READ a FIRST time and considered **READ a SECOND** and **THIRD** time and adopted as such in open Council this 5th day of December 2023, for the immediate wellbeing of the Municipality.

Mayor

Clerk

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2023-28

Being a by-law to enter into an agreement for the services
of a Building Inspector

WHEREAS the Building Code Act and the regulations thereto require Municipality's to appoint a Chief Building Official and Inspectors,

AND WHEREAS the Building Code Act also requires Chief Building Officials and Inspectors to complete inspections of buildings under construction within a certain timeframe and at specific stages of construction,

AND WHEREAS Callander, Nipissing and Powassan have appointed a Chief Building Official for their respective needs,

AND WHEREAS the Building Code Act permits Municipalities to enter into an agreement to obtain the expertise and resources required to meet the requirements of the Building Code Act,

AND WHEREAS Callander, Nipissing and Powassan wish to enter into an Agreement for the sharing of department officials, expertise and resources on a back-up basis and upon the terms and conditions set out in this Agreement, pursuant to Section 3 of the Building Code Act,

NOW THEREFORE the Council of The Corporation of the Municipality of Powassan enacts as follows:

1. That the Agreement attached hereto as Appendix "A" between the Corporation of the Township of Nipissing, the Corporation of the Municipality of Callander, and the Corporation of the Municipality of Powassan be entered into by the municipality.
2. That the Mayor and the Clerk be authorized to execute all documentation necessary to fulfil the Agreement.
3. That the Agreement entered into between the Corporation of the Township of Nipissing, the Corporation of the Municipality of Callander, and the Corporation of the Municipality of Powassan is hereby ratified and confirmed, when signed by all parties.
4. That this Bylaw shall come into force and take effect upon the date of final reading and passing there of.

READ a **FIRST** time and considered **READ** a **SECOND** and **THIRD** time and adopted as such in open Council this 5th day of December 2023, for the immediate wellbeing of the Municipality.

Mayor

Clerk



NORTH ALMAGUIN PLANNING BOARD

250 Clark Street, Suite 126
P.O. Box 57, Powassan Ontario P0H 1Z0
705-724-6758

Email: northalmaguinplanningboard2018@gmail.com

Website: <http://napb.ca>

B40 POWASSAN/2023

RECEIVED
2 Nov 2023

(18 OCT 2023)
etc CONSULTS

AN APPLICATION FOR CONSENT UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990 c.P.13

PLEASE PRINT OR TYPE AND COMPLETE ALL APPROPRIATE BOXES.

1. APPLICANT INFORMATION

1.1 Applicant(s):

Name(s) of Property Owner(s): LORNE BYERS

Day Time Phone #s: Home: _____ Mobile: (705) 471-7055 Business: _____

Mailing Address: Box 747, Powassan, ON

Postal Code: P0H 1Z0 Email Address lorne.byers@aol.com

1.2 Agent for the Applicant

The property owner(s) may appoint a person or a professional firm to act on their behalf for processing this application and attending the meeting at which it will be considered, or a person who is to be contacted about the application for communication. This may be a person or firm acting on behalf of the property owner(s). Owner authorization is required in Section 11 of this form if the applicant is an agent appointed by the owner.

Name of Contact Person/Agent: PAUL GOODRIDGE - GOODRIDGE GOLF PLANNING & SURVEYING LTD.

Phone #s: Home: _____ Mobile: (705) 493-1770 Business: _____ Fax: _____

Address: SUITE 1 - 490 MAIN ST. E., NORTH BAY, ON

Postal Code: P1B 1B5 Email Address paul.goodridge@ggpls.com

2. LOCATION OF THE SUBJECT LAND

2.1 District of Parry Sound: _____ (mandatory) Tax Roll Number: _____

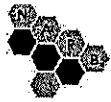
Municipality / Unincorporated Township: POWASSAN

Municipal Address (Civic Address): NONE ASSIGNED - VACANT LOT

Legal Description: Concession: 10 Lot Number: 20 Registered Plan: _____ Lot(s): _____ Reference Plan: _____ Part(s): _____

Parcel Number: _____ PIN: 52208-0506 (LT)

2.2 IMPORTANT: If there are existing easements or restrictive covenants affecting the subject land, provide the legal description and its effect to the subject land. Attach a copy of the relevant documentation.



3. PURPOSE OF THE APPLICATION:

3.1 Type and Purpose of proposed transaction(s) that requires the Consent:

Create a new lot (or re-establish an existing parcel) / Lot Addition / Easement **UNDER THE IN-FILLING POLICIES OF SECTION 5.7.3 b) OF THE OFFICIAL PLAN.**

Other: Charge / Release a Mortgage Lease

3.2 Name of party(s), if known, to whom the land or interest in land is to be transferred, leased or charged:

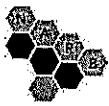
3.3 If a lot addition, identify the lands to which the parcel will be added?

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

(Fully complete each Section in order that your application can be process. Incomplete applications will be delayed until they are complete.)

(If 2 new lots are proposed, split the SEVERED section and apply appropriate dimensions and information through Sections 4.1 through

4.1 Description / Size <i>Metric and Imperial</i>	SEVERED	RETAINED
Frontage	61.00 metres 200.13' feet	475.02 metres 1558.46' feet
Depth	107.37 metres 352.26' feet	± 402.3 metres ± 1320' feet
Area	1.00 hectare 2.47 acres	± 35.2 hectare ± 87 acres
4.2 Existing Use of Property:	VACANT - RURAL.	VACANT RURAL / AG (HAY)
4.3 Existing Building or Structures and date of construction	NIL	NIL
4.4 Proposed Use of the Severed and Retained Parcels	RURAL RESIDENTIAL	NO CHANGE
4.5 Road Access: Provincial highway MANDATORY: Provide written comments from MTO North Bay. 705-497-5401		
Municipal road, maintained all year	MAPLE HILL ROAD	MAPLE HILL ROAD - PORDON LINE
Municipal Road, seasonally maintained		
Other Public Road (e.g. Local Roads Board)		
Right of Way / Easement* (IF ACCESS TO THE SUBJECT LAND IS BY PRIVATE ROAD OR OTHER PUBLIC ROAD OR RIGHT OF WAY advise the status of the easement (permanent registered or prescriptive), name who owns the land or road, who is responsible for its maintenance and whether it is seasonal or year round.		
MNRF Road Allowance [Written report from the MNRF if an MNRF road allowance is used for access to the subject land. North Bay Office: 705-475-5550]		
4.6 Water Access Lots: Documented proof of on-shore parking and docking facilities is mandatory. (e.g. lease with an existing marina or dedication of a portion of the retained parcel provided the retained parcel provided it is accessible by land.) Also provide the approximate distance of these facilities from the subject land and the nearest public road.		



4.7 Water Supply	SEVERED	RETAINED
Publicly owned and operated piped water system		
Privately owned and operated individual well	✓	✓
Privately owned and operated communal well		
Lake or other water body		
Other means		
Does your property abut a lake? <i>[Is the lake deemed by the Ministry of the Environment Conservation and Parks (MOECP) to be at capacity for phosphorus load? **1-800-461-6290 for enquiries]</i>		

4.8 Sewage Disposal	SEVERED	RETAINED
Publicly owned and operated sanitary sewage system		
Privately owned and operated individual septic tank <i>[MANDATORY: Attach documentation of the results of the Planning Act proposal review by the North Bay Mattawa Conservation Authority 705-474-5420]</i>	✓	✓
Privately owned and operated communal septic tank		
Privy		
Other Means (e.g. Advanced Treatment System) <i>** (Septic System over 10,000 litre requires Ministry of the Environment Conservation and Parks study and permit. 1-800-461-6290 for enquiries)</i>		

4.9 Other Services (Indicate which service(s) are available)	SEVERED	RETAINED
Electricity	✓	✓
School Bussing	✓	✓
Garbage Collection	✓	✓



5. LAND USE

5.1 What is the existing Official Plan designation(s)? (Please contact the Municipality of Powassan for this information.)

RURAL USES


5.2 What is the Zoning, if any, on the subject land? (Please contact the Municipality of Powassan for this information.)

RURAL

If the subject land covered by a Minister's Zoning Order, what is the Plan and registration number? _____

5.3 Are any of the following uses or features on the subject land or within 500 meters of the subject land, unless otherwise specified? Please check the boxes that apply.

Use or Feature	On the Subject Land	Within 500 meters of subject land, unless otherwise specified by the applicable agency, then indicate approximate distance.
An agricultural operation including livestock facility or stockyard <i>[MANDATORY: Attach MDS work sheets from OMAFRA (Ontario Ministry of Food Agriculture and Rural Affairs)]</i>		✓ BEEF CATTLE LOT 19.
A landfill		
A sewage treatment plant or waste stabilization plant		
A provincially significant wetland <i>[North Bay Mattawa Conservation Authority or the Ministry of the Environment Conservation and Parks]</i>		
A provincially significant wetland within 120 meters of the subject land <i>[North Bay Mattawa Conservation Authority or the Ministry of the Environment Conservation and Parks]</i>		
Flood Plain	✓ MCGILLVRA Y CREEK.	
A rehabilitated mine site		
A non-operating mine site within one kilometer of the subject land		
An active mine site		
An industrial or commercial use, and specify the use (eg gravel pit)		
An active railway line		
Utility corridors (Natural Gas / Hydro Corridor)		



6. HISTORY OF SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a Plan of Subdivision or Consent under the Planning Act? NO YES UNKNOWN

If yes, and if known, please provide the application file number and the decision made on the application.

APPLICATIONS APPROVED SOUTH OF SEVERED LANDS.

Do you know the year the property was created? _____

6.2 If this application is a re-submission of a previous consent application, what is the original consent application number and how has it been changed from the original application?

7. CURRENT APPLICATION

7.1 Is the subject land currently the subject land of a proposed Official Plan or Official Plan Amendment that has been submitted to the Ministry of Municipal Affairs and Housing for approval?

NO YES UNKNOWN

If yes and if known, specify the file number and status of the application

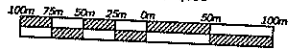
7.2 Is the subject land the subjection of an application for a Zoning By-law Amendment, Minister's Zoning Order amendment, Minor Variance, Ccnsent or approval of a Plan of Subdivision?

NO YES UNKNOWN

If yes and if known, specify the file number and status of the application.

SKETCH TO ACCOMPANY
SEVERANCE CONSENT APPLICATION
 PART OF LOT 20, CONCESSION 10
 GEOGRAPHIC TOWNSHIP OF HIMSWORTH
 MUNICIPALITY OF POWASSAN
 DISTRICT OF PARRY SOUND
 SCALE 1 : 4,500

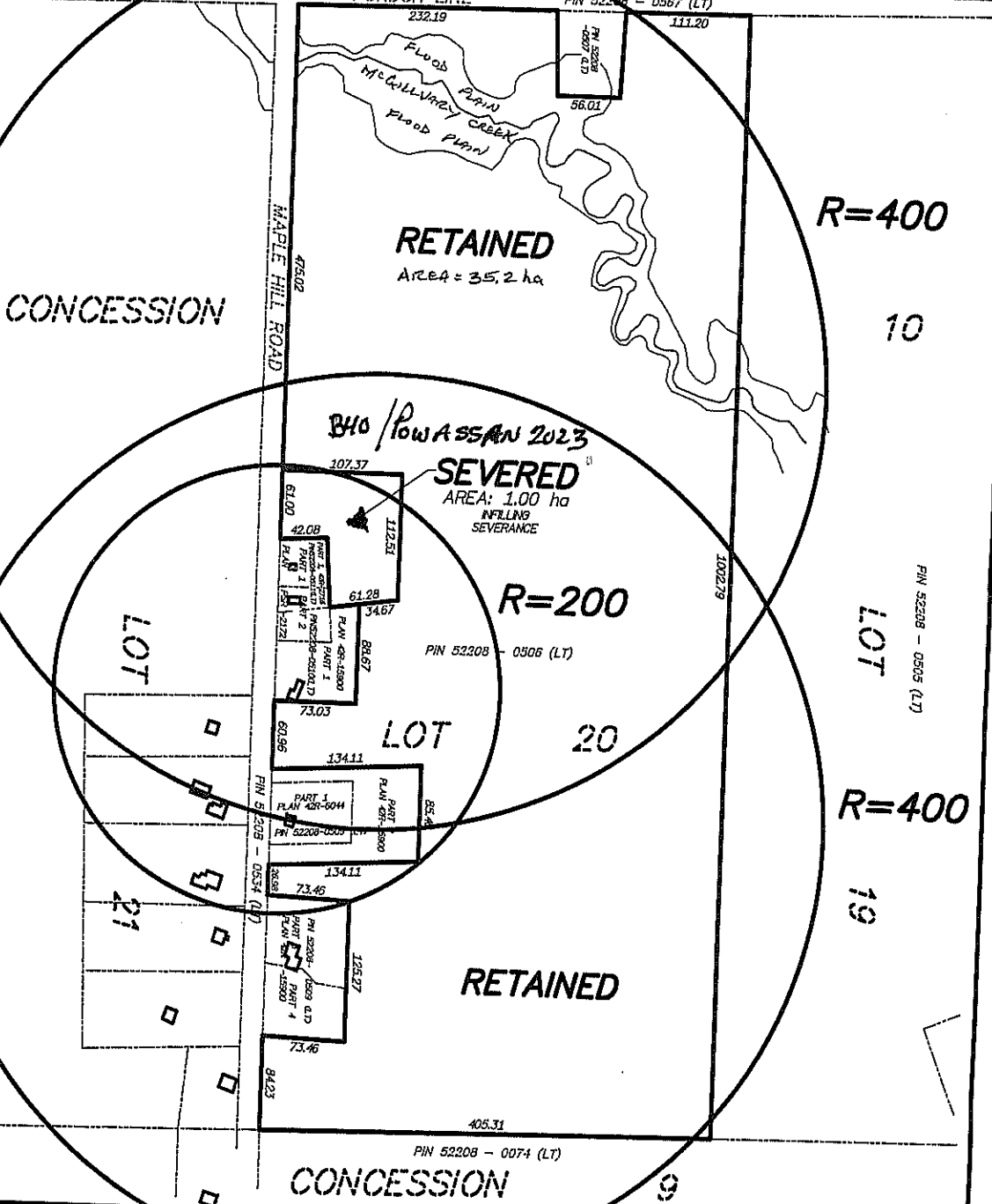
CONCESSION



11



PURDON LINE PIN 52208 - 0567 (LT)



R=400

10

BHO / POWASSAN 2023

SEVERED
 AREA: 1.00 ha
 INFILLING SEVERANCE

R=200

LOT

R=400

19

CONCESSION

METRIC:
 DISTANCES SHOWN ON THIS SKETCH ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

COPYRIGHT:
 THIS SKETCH WAS PREPARED EXCLUSIVELY FOR LORNE BYERS AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHERS.
 © NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE, OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF PAUL GOODRIDGE, C.L.S.

CAUTION:
 THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR MORTGAGE OR TRANSACTION PURPOSES. IT IS TO BE USED SOLELY FOR THE EXPRESS PURPOSE STATED HEREON.

GOODRIDGE GOULET
PLANNING & SURVEYING LTD.
 ONTARIO LAND SURVEYOR - LAND USE PLANNER - DEVELOPMENT CONSULTANTS
 UNIT 1 - 490 MAIN STREET EAST, NORTH BAY, ON P1B 1B5
 705-493-1770 paul.goodridge@ggpltd.com
 705-493-7974 don.goulet@ggpltd.com

FIELD	OFFICE	FILE
N/A	K. PHILPSON	1192-22

Planning Report – Municipality of Powassan, Consent Application: B40/POWASSAN/2023

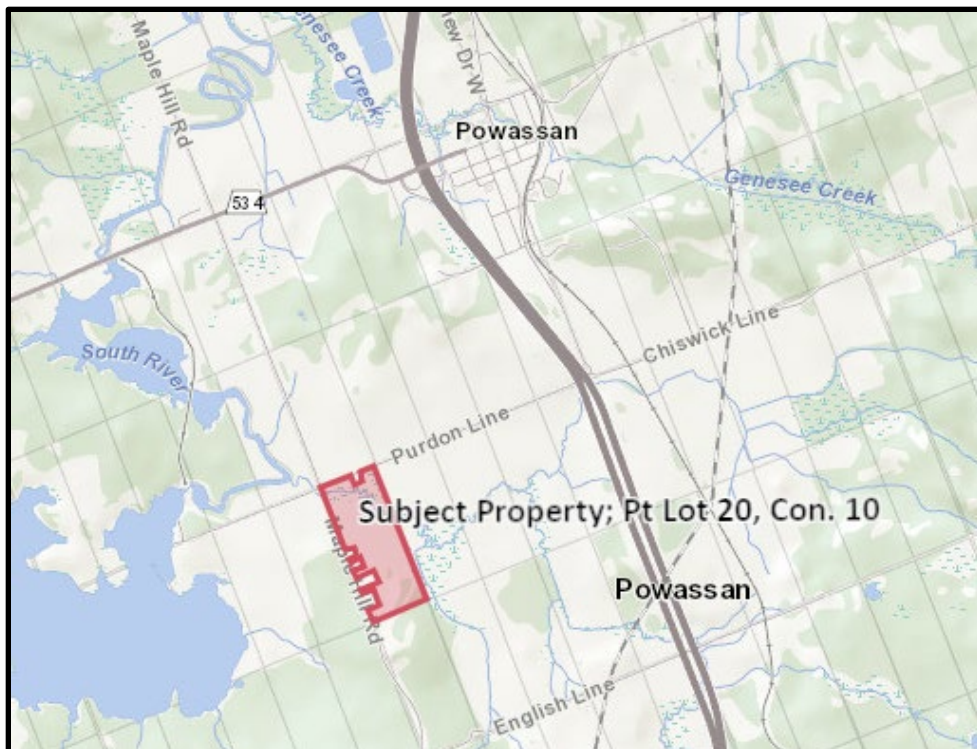
Background

Lorne Byers has submitted an Application for Consent to the North Almaguin Planning Board. Paul Goodridge of Goodridge Goulet Planning & Surveying Ltd. is the property owner’s acting agent. The Application has been circulated to the Municipality of Powassan for comment. The Application for Consent is to create one (1) new lot and retain one (1) lot on the subject property.

Location and Lot Description

The subject lands are legally described as Part of Lot 20, Concession 10, PIN 52208-0506 (LT), in the Municipality of Powassan, District of Parry Sound. The application has indicated the property is vacant and has no civic address. The location of the subject lands is shown in [Figure 1](#). The property has been described as vacant. A desktop review would indicate the majority of the north portion of the property is fields with McGillivray Creek meandering through it. The lower southern portion of the property appears to be mainly treed.

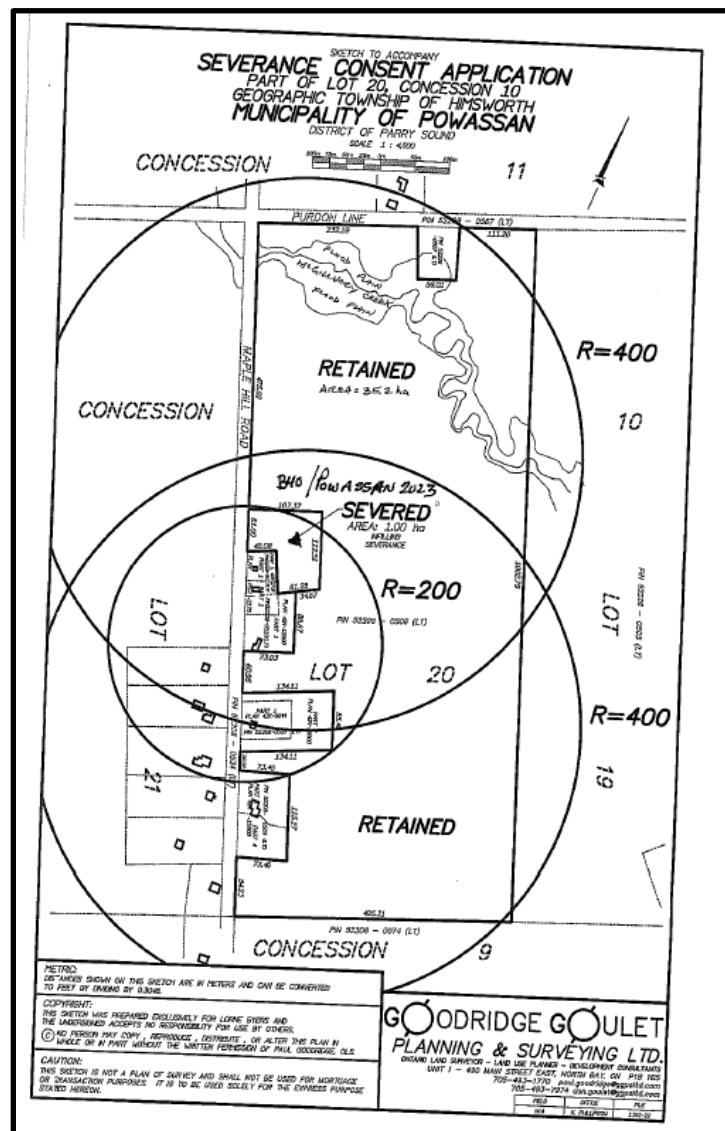
Figure 1: Location Map



Proposal Description

The subject property is described as Part of Lot 20, Concession 10 in the Municipality of Powassan with no civic address. It is approximately 36.2 hectares in size (89.5 ac) and has frontage on both Purdon Line and Maple Hill Road. The proposed severed lot has an area of approximately 1.0 ha (2.47 ac) and 61 m of frontage. The retained lot would maintain approximately 35.2 ha (87 ac) and an approximate proposed frontage of 475 m on Maple Hill Road (Figure 2.). The subject property is designated as Rural Area and Open Space in the Municipality of Powassan Official Plan and zoned Rural (RU) with Hazard Overlay (HZ) zoning (McGillvray Creek) meandering through the property. The severed lot is intended for future rural residential development.

Figure 2: Proposed Severance



Policy Analysis

Provincial Policy Statement, 2020

The subject property would be considered Rural Lands according to the PPS Section 1.1.5 and specifically permitted uses would include lot creation where Section 1.1.5.2 states:

c) residential development, including lot creation, that is locally appropriate

As well the following policies would apply:

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

Section 2.1 of the policies refer to Natural Heritage, noting that natural features shall generally be protected and 2.1.2 states:

The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The proposed severance under the policies of the PPS would generally be permitted and supported.

Growth Plan for Northern Ontario, 2011

The Municipality of Powassan is located within the Growth Plan for Northern Ontario Area and thus decisions are required to conform with this Plan. The purpose and guiding principles of the plan provides a 25-year vision of growth for the northern economy, people, communities, infrastructure, environment, and aboriginal peoples. The application has been reviewed against the applicable policies of this document and has been found to conform to the intent and purpose of the document.

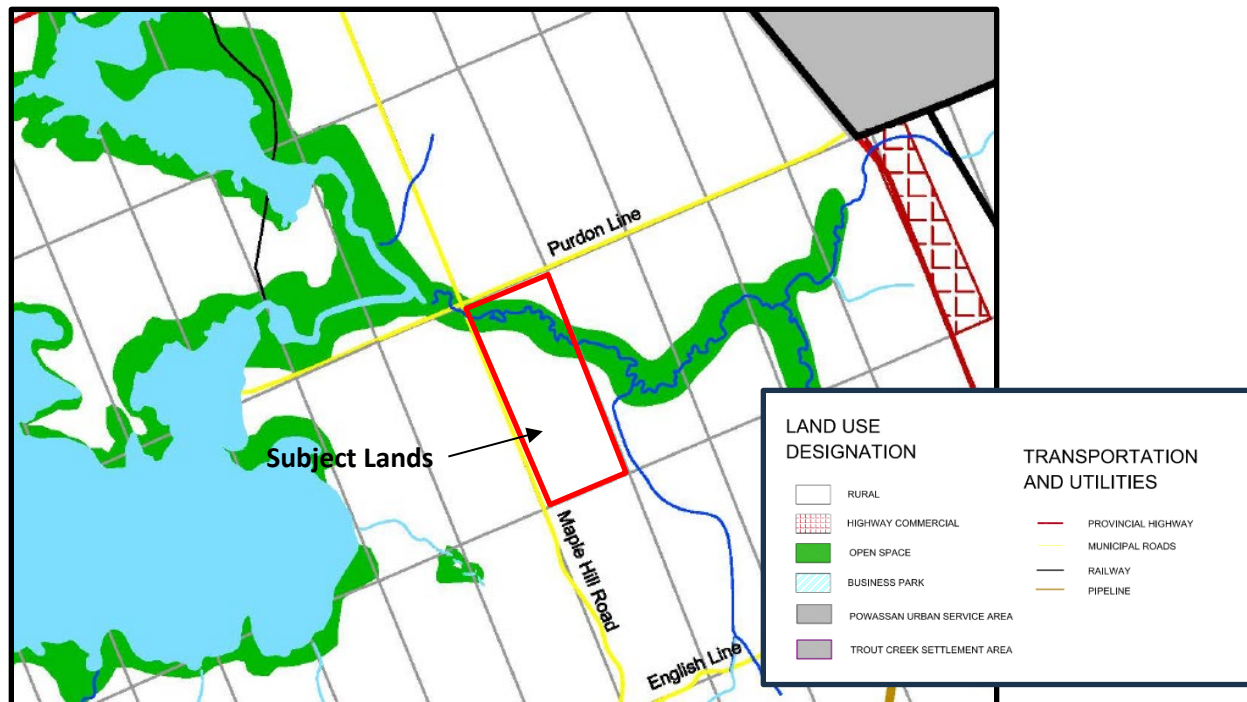
Municipality of Powassan Official Plan, October 2003

The Subject property is designated Rural Area and Open Space Area ([Figure 3.](#)). Section 8.0 of the Official Plan refers to Land Division policies. The Application generally is supported by the policies provided they meet the specific criteria of Section 8.1.1:

Every severance application received by Council and Planning Board for the purpose of creating a new lot shall meet the following criteria:

- i) a registered plan of subdivision is not necessary for the orderly development of the lands;*

Figure 3. Municipality of Powassan Official Plan Schedule A: Land Use Designation



- ii) *the lot size and setback requirements will satisfy specific requirements of this Plan and meet the implementing zoning by-law requirements;*
- iii) *the proposed lot must front on a publicly maintained road;*
- iv) *lots for hunt camps, fishing camps or similar uses may be permitted in keeping with policies 7.2 and 7.3 of this Plan;*
- v) *the lot must have road access in a location where traffic hazards such as obstructions to sight lines, curves or grades are avoided;*
- vi) *the lot size, soil and drainage conditions must allow for an adequate building site and to allow for the provision of an adequate means of sewage disposal and water supply, which meets the requirements of the Building Code. New lots in Rural areas shall have a minimum lot size of 1.0 ha or be in keeping with policy 5.7.3 iv) of this Plan; . Smaller lots may be considered subject to the applicant providing a hydrogeological study to the satisfaction of Council demonstrating that the smaller lot is sustainable;*
- vii) *any lot for permanent residential use shall be located on a year round maintained municipal road or Provincial highway;*
- viii) *the creation of any lot will not have the effect of preventing access to or land locking any other parcel of land.*
- ix) *any lot created by severance in the vicinity of livestock operations shall meet the Minimum Distance Separation formulae.*

Under Section 5.7 Rural Area, limited new lot creation is permitted, provided (Section 5.7.3):

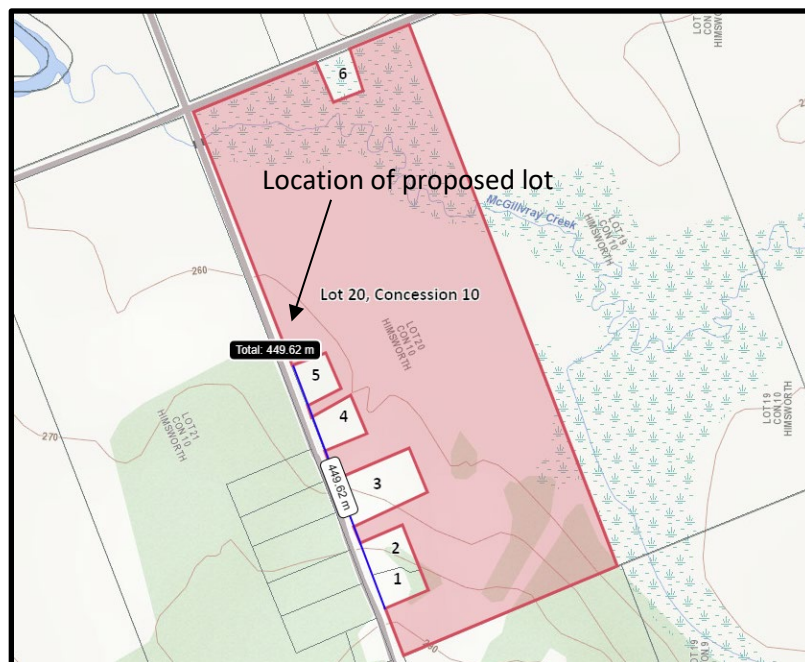
- i) *New lots developed for residential purposes will be limited as follows:*
 - a. *a maximum of two lots from any parcel of land that existed on January 1, 1996; or*

- b. *infilling where the proposed lot would be located within an area where six or more residential dwellings exist within 400 metres of each other measured along a municipal roadway.*
- ii) *The total number of lots created in Rural area should not exceed 15 per year;*
- iii) *New residential lots may only be created on municipal roads maintained year round in areas where the Municipality and School Boards are presently providing services; and,*
- iv) *The density of development in any residential cluster where development is permitted under section 5.7.3 (i)(b) above, shall not be less than 1.0 unit per hectare*
- v) *In addition, new lots may be created for seasonal residential purposes on the lakes in the Municipality subject to satisfying the general development policies in section 4 and the land division policies in Section 8 of this Plan.*

A desktop review would indicate this new lot creation would be the seventh (7) lot creation of the original Lot 20, Concession 10 and the third (3) lot created since 1996 (previous communication with applicant and municipality) and no new additional lots can be created based on the Official Plan policy Section 5.7.3 a) which permits only two lots. The applicant has indicated that this proposed lot creation is applicable to the policy of “infilling” under section 5.7.3 b). However, this also would not be supported by the Official Plan where policy requires *six (6) or more residential dwellings to exist within 400 m of each other measured along a municipal roadway*. Figure 4. illustrates that there are only 5 existing lots located in an area along Maple Hill Road within 450 m of each other. Infilling notionally occurs between existing lots. The proposed new lot is also not located between the existing lots but at the end of the row of lots.

The Application for Consent would not be supported by policies of the existing Official Plan.

Figure 4. Existing Parcels on Lot 20, Concession 10



Municipality of Powassan Zoning By-law No. 2003-38

The proposed severance is location on lands considered Rural (RU) in the municipal Zoning By-law No. 2003-38 and new lot creation would need to meet the RU provisions. The Application identifies the future proposed use of a rural residential and would be considered a "Column B Use." The development of the residential use would need to meet the requirements illustrated in Figure 3.

Figure 3: Zoning Uses and Regulations

4.4 RURAL (RU) ZONE			
No person shall within any Rural (RU) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:			
4.4.1	Permitted Uses		
	Column A Uses	Column B Uses	
	i) farm	i) single detached dwelling	
	ii) farm produce sales outlet	ii) duplex dwelling	
	iii) fire hall	iii) semi-detached dwelling	
	iv) hunt camp	iv) bed and breakfast	
	v) kennel	v) home occupation	
	vi) lodge or boarding house	vi) home industry	
	vii) municipal or provincial offices or works garage	vii) hobby farm	
	viii) resource management activities	viii) group home	
	ix) riding school or boarding stables	ix) public park	
	x) an accessory farm dwelling on one lot of at least 30 hectares (75 acres)	x) veterinary hospital	
		xi) observatory	
4.4.2	Regulations for Permitted Uses		
		Column A Uses	Column B Uses
	i) Minimum Lot Area	10 ha	1.0 ha
	ii) Minimum Lot Frontage	135 m	50 m
	iii) Minimum Front Yard	30.0 m	30 m
	iv) Minimum Interior Side Yard	15.0 m	15.0 m
	v) Minimum Exterior Side Yard	15.0 m	15.0 m
	vi) Minimum Rear Yard	15.0 m	15.0 m
	vii) Maximum Lot Coverage	25%	25%
	viii) Maximum Height	10.5 m	10.5 m
	ix) No kennel shall be located within 120 metres (400 ft) of a residential dwelling on another lot.		
	Minimum Lot Area for a hobby farm		2.0 ha

The Hazard Overlay (HZ) of the subject property would be part of the retained lot where the application has indicated it would remain vacant for the purpose of rural agricultural use. The proposed severance would meet the standards of the applicable zoning.

Recommendation

In our professional opinion, the proposed Consent (Severance) Application would not be supported by the Official Plan. The Application B40/Powassan/2023 would require an amendment to the Official Plan.

Respectfully Submitted,

PLANSCAPE INC.



Ryan Lloyd B.E.S.
Planning Consultant



Rian Allen M.Sc., MCIP, RPP
Planning Consultant

COUNCIL MEMORANDUM

Date: November 30th. 2023
To: Council
From: Councillor Randy Hall
Re: MTO Agreement Re: Sidewalks in Trout Creek

Recommendation:

That the MTO be contacted the Sidewalk Agreement finalized as soon as possible; and, that the Municipality request a painted crosswalk and signage where the sidewalk crosses Hwy. 522.

Background / Rationale:

The Municipality of Powassan made a verbal agreement with the MTO that if the Province of Ontario invested in sidewalks in the Town of Trout Creek along Highway 522, the Municipality of Powassan would assume not only the seasonal maintenance of the sidewalks but the overall future maintenance and condition of the sidewalks.

AGREEMENT FOR SERVICES
THIS AGREEMENT dated this ___ day of _____ 2023

BETWEEN

THE NORTH BAY-MATTAWA CONSERVATION AUTHORITY
(hereinafter called "Authority")

OF THE FIRST PART

– and –

THE MUNICIPALITY OF POWASSAN
(Hereinafter called the "Member")

OF THE SECOND PART

WHEREAS NBMCA is required to provide mandatory programs and services (Category 1) including but not limited to programs and services related to understanding and addressing the risks of natural hazards, flood forecasting and warning, drought or low water response, ice management, water control and erosion control infrastructure, providing technical comments on applications under prescribed acts including the *Planning Act*, conservation and management of its lands, and fulfilling its duties, functions and responsibilities to administer and enforce the provisions of Parts VI and VII of the Act and any regulations made under those Parts.

AND WHEREAS in carrying out its mandate under the Act, NBMCA provides Municipally delegated programs and services (Category 2) and other programs and services (Category 3) to municipal partners within its jurisdiction including but not limited to water quality monitoring and stewardship projects.

AND WHEREAS under the Conservation Authorities Act, mandatory programs and services (Category 1) are to be funded through the budget and apportionment process in accordance with the applicable regulations.

AND WHEREAS pursuant to Ontario Regulation 687/21 Conservation Authorities are required to enter into an agreement to levy members for services provided to Members for Category 2 programs and services per Conservation Authorities Act Section 21.1.1 (1); and Category 3 other programs and services per Conservation Authorities Act Section 21.1.2 (2) if financing from the participating municipality is necessary.

AND WHEREAS the Conservation Authority is prepared to continue to provide Category 2 and Category 3 programs and services to its Members.

AND WHEREAS the Members wish to avail themselves of these services and to pay the amount levied for the services.

NOW THEREFORE, in consideration of the terms of this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The Authority agrees to provide to the Member the services outlined in the Inventory of Programs and Services attached hereto as Schedule "A".
2. The Member agrees to be charged a levy for such services in accordance with the approved budget.
3. The Authority will not add to or delete from the programs or services funded through the levy without first consulting with the Member. Any such change would require an amendment to this Agreement agreed to by all parties.

4. The parties will maintain the current annual approval process for setting the levy and budget (i.e. weighted vote based upon current value assessment in the watershed for approval of the levy).
5. The Member will continue to support the current Inventory of Programs and Services throughout the period of this Agreement.
6. This MOU shall commence on the Effective Date and shall continue for four (4) years (the "Initial Term"). Thereafter this MOU shall continue for additional four (4) year periods (each a "Renewal Term") unless either party provides written notice of termination to the other party at least sixty (60) days prior to the expiry of the Initial Term or Renewal Term, as the case may be.
7. This MOU shall be reviewed by the parties on an annual basis as part of the budget and apportionment process.
8. NBMCA shall identify Category 2 and Category 3 services in the budget, and shall comply with the prescribed methods of apportionment, including the Modified Current Value Assessment (MVCA) apportionment method (the ratio that the participating municipality's MVCA bears to NBMCA's MVCA) and the benefit-based apportionment method (the benefit that each participating municipality obtains from the program or service to which the operating expense or capital cost is related), or where permitted in accordance with the applicable regulations, by agreement.
9. This Agreement may be executed in any number of counterparts and by the parties hereto by separate counterparts, each of which when so executed and delivered shall be an original, but such counterparts together shall constitute one and the same instrument.

SIGNED SEALED AND DELIVERED THIS ____ DAY OF _____ 2023.

THE NORTH-BAY MATTAWA CONSERVATION AUTHORITY

Per: _____
Chair - Dave Britton

Per: _____
CAO, Secretary Treasurer – Chitra Gowda

I/we have the authority to bind the Corporation.

SIGNED SEALED AND DELIVERED THIS ____ DAY OF _____ 2023.

THE MUNICIPALTY OF POWASSAN

Per: _____
Mayor – Peter Mclsaac

Per: _____
Municipal Clerk - Allison Quinn

I/we have the authority to bind the Corporation.

Schedule A

Program Area	Program and Service (Current and NEW)	Description	Legislative Reference	Category	Operating/ Capital
GENERAL FUNCTIONS per O. Reg. 402/22					
A. Corporate Services/ General Functions <i>These are operating expenses and capital costs that are not related to the provision of a program or service but provide a corporate-wide supporting function. These were previously called Administration, Interpretive Centre and Outreach (operating), Central Services (capital) programs in the 2023 NBMCA budget book.</i>	Governance (Current)	CA Board of Directors, Advisory Committees, Corporate Strategy, reports, CA meetings, events, media.	O. Reg. 402/22 - General Operating Expenses.	General	Operating
	Administration (Current)	Section 39 MNRF funding eligible. Office of the CAO: CAO, Secretary Treasurer, Executive Assistant Financial Services: Annual budget, accounts payable and receivable, financial analysis, risk mitigation and audit, administration of reserves, financial reports for funding agencies, CRA reports, insurance applications, maintenance, property tax. Human Resources: Attendance records, payroll, benefits program administration, employment, personnel policy, performance management, health and safety, WSIB, Employee Assistance Program. Geographical Information Systems (GIS): GIS maintenance and support, CA map layer updates, data sharing/ licence agreements. Corporate communications: marketing, website updates, corporate events, support media relations, corporate publications incl. Annual Report, factsheets, brochures.	O. Reg. 402/22 - General Operating Expenses.	General	Operating
	Legal Expenses (Current)	Costs related to agreements, contracts, litigation matters, administrative by-law updates, etc.	O. Reg. 402/22 - General Operating Expenses.	General	Operating
	Information Technology/Management (IT/IM), (Current)	Hardware (servers, computers, phones, etc.)	O. Reg. 402/22 - General Operating Expenses.	General	Capital
	Information Technology/Management (IT/IM), (Current)	Software, IT troubleshooting, cyber security, data management system, records retention	CA Act S. 20. O. Reg. 402/22 - General Capital Costs.	General	Operating
	Office Equipment (Current)	Administrative office equipment	CA Act S. 20. O. Reg. 402/22 - General Capital Costs.	General	Capital
	Office Supplies (Current)	Administrative office supplies	O. Reg. 402/22 - General Operating Expenses.	General	Operating
	Administration Buildings (Current)	Administrative office and workshop used to support staff, programs and services. Includes utilities, insurance, phone bills, property tax. Includes minor maintenance and repair.	O. Reg. 402/22 - General Operating Expenses.	General	Operating
	Communications, Outreach and Education (Current)	Administrative office and workshop used to support staff, programs and services. Includes major capital asset improvements and new capital assets.	CA Act S. 20. O. Reg. 402/22 - General Capital Costs.	General	Capital
		Promoting public awareness of natural hazards including flooding, drought, and erosion. Public events, materials, Social media services.	Reg. 686/21 s.1(2) Reg. 686/21 s.1(3)3,4	General	Operating
		Vehicle and equipment fuel, licenses. Includes routine maintenance and repair.	O. Reg. 402/22 - General Operating Expenses.	General	Operating
		Vehicle fleet and machinery/ equipment purchase, disposal, major repair. Vehicle and equipment program through internal charge to programs to fund maintenance and purchase.	CA Act S. 20. O. Reg. 402/22 - General Capital Costs.	General	Capital

Schedule A

Program Area	Program and Service (Current and NEW)	Description	Legislative Reference	Category	Operating/ Capital
CATEGORY 1 (MANDATORY): NATURAL HAZARDS RISK MANAGEMENT per O. Reg. 686/21					
B. Planning and Regulations <i>The main goal is to protect life and property from natural hazards specified in O. Reg. 686/21. These were previously called Section 28 Operating and Watershed Planning programs in the 2023 NB/MCA budget book.</i>	Section 28 Permissions (Current)	CA Act Section 28 Permissions including review and processing permit applications, site visits, technical reports, customer service, communication with applicants, agents, consultants, legal costs, enforcement and compliance.	CA Act S. 21.1(1) 1(i) S.28, O. Reg. 686/21 S.1 - Risk of Natural Hazards, S. 8 - Administer and enforce the Act.	Category 1	Operating
	Natural Hazard Plan Input and Review (Current) – Member Municipalities and Planning Boards	Section 39 MNRF funding eligible. Input: To municipal land-use planning documents (Official Plan, Comprehensive Zoning By-law, Secondary plans) related to natural hazards, on behalf of MNRF (delegated to CAs in 1983). Review: Technical information and comments to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Condominium, Site Plan Approvals, Consents, Minor Variances, etc.).	CA Act S. 21.1(1) 1(i). O. Reg. 686/21 S.1 - Risk of Natural Hazards, S.7 - Plan Review, Comments.	Category 1	Operating
	Natural Hazard Plan Input and Review – Unincorporated Areas	Providing comments on applications for Unincorporated Areas in CA area of jurisdiction (Phelps, Orig, Boulter, Lauder, Ballantyne, Wilkes, Pentland, Boyd, Biggar, Osler, Lister). Comments are made directly to the Ministry of Municipal Affairs and Housing (MMAH), when requested by the Ministry and within their timeframes, on applications or other matters under the Planning Act.	O. Reg. 686/21 S7 (2) 2	Category 1	Operating
	Flood Forecasting and Warning (Current)	Section 39 MNRF funding eligible. Ongoing collection and monitoring of weather forecasts, provincial & local water level forecasts, snow surveys and other watershed conditions. Flood event forecasting. Flood warning and communications. Maintenance of equipment.	CA Act S. 21.1(1) 1(i). O. Reg. 686/21 S.1 - Risk of Natural Hazards, S.2 - Flood forecasting and warning.	Category 1	Operating
	Flood Forecasting and Warning (Current)	Purchase and installation of streamflow gauges, rain gauges, ciliamite stations and other equipment. Climate monitoring station (in East Ferris), rain gauge (in Chisholm)	CA Act S. 21.1(1) 1(i). O. Reg. 686/21 S.1 - Risk of Natural Hazards, S.2 - Flood forecasting and warning.	Category 1	Capital
C. Water Resources Management <i>The main goal is to protect life and property from natural hazards specified in O. Reg. 686/21. These were previously called Flood Forecasting, Flood Control, Erosion Control, Ice Management, Water Quality (operations) and S. 28 DIA Technical, Integrated Watershed Management (IWM), and Water Erosion Control Infrastructure (WECI) capital programs in the 2023 NB/MCA Budget book.</i>	Technical Studies and Policy Review (Current)	Section 39 MNRF & FHIMP MNRF-federal govt. funding eligible. Data collection, studies and projects to inform natural hazards management including floodplain mapping, watershed hydrology data collection and analysis, natural hazard risk identification and assessment including climate change impacts, regulated areas map updates, floodplain policy, shoreline management. Projects often span several years and are carried out as human resources and funding are available.	CA Act S. 21.1(1) 1(i). O. Reg. 686/21 S.1(3)1.&2. - Risk of Natural Hazards.	Category 1	Operating
	Flood and Erosion Control Infrastructure - Operation and Management (Current)	Section 39 MNRF funding eligible AND Water and Erosion Control Infrastructure (WECI) Operation and Management MNRF funding eligible. Includes all MNRF identified WECI (Parks Creek Backflood Control, Oak Street pumps, Chippewa Creek channel sections in North Bay) that are annually inspected, and routine maintenance work completed. Municipal levy is from the City of North Bay.	O. Reg. 686/21 S. 5(1) - Infrastructure	Category 1	Operating
	Flood and Erosion Control Infrastructure - Major Capital Asset Improvements and New Capital Assets. (Current)	Major capital asset improvements and new capital assets related to Water and Erosion Control Infrastructure (WECI) as required. Projects are based on WECI funding from MNRF and 50% cost share support from the City of North Bay. Technical studies related to capital works.	O. Reg. 686/21 S. 5(1) - Infrastructure. S.5(1)3- Technical or engineering studies - infrastructure.	Category 1	Capital

Schedule A

Program Area	Program and Service (Current and NEW)	Description	Legislative Reference	Category	Operating/ Capital
CATEGORY 1 (MANDATORY): NATURAL HAZARDS RISK MANAGEMENT per O. Reg. 686/21					
Cont'd: C. Water Resources Management <i>The main goal is to protect life and property from natural hazards specified in O. Reg. 686/21. These were previously called Flood Forecasting, Flood Control, Erosion Control, Ice Management, Water Quality (operations) and S. 28 D/A Technical, Integrated Watershed Management (IWM), and Water Erosion Control Infrastructure (WEC) (capital) programs in the 2023 NBMCA budget book.</i>	Ice Management (Current)	Management of ice build up on Parks Creek outlet to Lake Nipissing, to mitigate the potential for flooding of homes along Lakeshore Drive and area in North Bay. Municipal levy is from the City of North Bay.	O. Reg. 686/21 S.4(1) - Ice Management	Category 1	Operating
	Drought or Low Water Response (Current)	Conditions monitoring and analysis. Technical & administrative support to the Low Water Response Team representing major water users and decision makers, i.e. input to those who initiate drought response actions.	O. Reg. 686/21 S.3 - Drought or Low Water Response	Category 1	Operating
	Watershed Monitoring (Current)	Provincial Water Quality Monitoring Network (PWQMN): CA-MECP partnership for stream water quality monitoring. Provincial Groundwater Monitoring Network (PGMN): CA-MECP partnership for groundwater level and quality monitoring. For PWQMN and PGMN, NBMCA maintains equipment, transfers data to MECP, water sampling; MECP provides lab analysis, equipment, standards, data management.	CA Act S. 21.1(1). O. Reg. 686/21 S. 12(1)2, 12(1)1.	Category 1	Operating
	Watershed Monitoring (Current)	Equipment such as: Hydrolab sonde for blue green algae monitoring in the Callander ICA		Category 1	Capital
	Natural Hazard Infrastructure Operational Plan (NEW)	Review and update the Parks Creek Backflood Control Structure and Oak Street pumps operational plans.	O. Reg. 686/21 S. 5(2)1. - Infrastructure Operational Plan	Category 1	Operating
	Natural Hazard Infrastructure Asset Management Plan (NEW)	Develop asset management plan for the Parks Creek Backflood Control Structure and Oak Street pumps.	O. Reg. 686/21 S. 5(2)2. - Infrastructure Asset Management Plan	Category 1	Capital
	Ice Management Plan (NEW)	The development and updating of the ice management plan with municipal partners, for the Parks Creek outlet to Lake Nipissing where ice jamming issues are known to occur in the City of North Bay.	O. Reg. 686/21 S.1 (2),(3) - Ice Management Plan	Category 1	Operating
	Watershed-based Resource Management Strategy (NEW)	Develop guiding principles and objectives that inform the design and delivery of programs and services that the CA is required to provide. Compile existing resource management plans, watershed plans, studies and data. Review programs and services. Develop the strategy, implement and undertake annual reporting. Include a process for periodic review.	CA Act S. 21.1(1). O. Reg. 686/21 S.12(1)3.& S. 12(4).	Category 1	Operating

Schedule A

Program Area	Program and Service (Current and NEW)	Description	Legislative Reference	Category	Operating/ Capital
CATEGORY 1 (MANDATORY): CONSERVATION AND MANAGEMENT OF LANDS OWNED OR CONTROLLED BY THE AUTHORITY per O. Reg. 686/21					
D. Conservation Areas and Lands <i>The main goal is to protect, conserve and manage conservation areas and lands owned by NBMCA, including providing safe, passive recreation to the public.</i>	Conservation Areas - Land Interests and Section 29 regulation (Current)	The management and maintenance of NBMCA properties including 15 conservation areas and trails owned by NBMCA to secure interests in its lands and protect from liability under the Occupiers' Liability Act. This includes Section 29 regulation enforcement and compliance governing the use by the public, prevention of unlawful entry, and for protection and preservation of the property. Related legal costs. Complete regular and timely inspections. Maintain equipment, facilities, trails, and other amenities that support public access and recreational use, hazard management, carrying costs including taxes and insurance.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)2, i, ii.	Category 1	Operating
	Conservation Areas - Major Capital Asset Improvements and New Capital Assets (Current)	Major capital asset improvements and new capital assets such as gates, fencing, signage, boardwalks, handrails, washroom facilities, waste bins, pedestrian bridges, trails, parking lots, pavilions, benches, picnic tables, roads, equipment, planning. Land purchases due to expropriation.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)2, i, ii.	Category 1	Capital
	Planning Act Comments (Current)	As the land owner, make applications or comments on Planning Act matters.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)2, iii.	Category 1	Operating
	Natural Heritage Protection (Current)	Conserve, protect, rehabilitate, establish, and manage natural heritage located within the lands owned or controlled by NBMCA.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)2, iv.	Category 1	Operating
	Tree Planting (Current)	Plant trees on lands owned or controlled by the authority, excluding commercial logging.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)2, v.	Category 1	Operating
	Policy for Land Acquisition and Disposition (NEW)	Develop a policy to guide the acquisition and disposition of land that help fulfill the objectives of the NBMCA.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)2, vi.	Category 1	Operating
	Land Inventory (NEW)	Develop a land inventory that will include: location, date obtained, method and purpose of acquisition, land use.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)3, S. 11	Category 1	Operating
	Conservation Area Strategy (NEW)	Develop a strategy to guide the management of NBMCA owned properties including guiding principles, objectives, land use categories on conservation authority owned land, recommended management principles for different land categories, etc.	CA Act S. 21.1(1), O. Reg. 686/21 S.9(1)1, S. 10	Category 1	Operating

Schedule A

Program Area	Program and Service (Current and NEW)	Description	Legislative Reference	Category	Operating/ Capital	
CATEGORY 1 (MANDATORY): SOURCE PROTECTION AUTHORITY UNDER THE CLEAN WATER ACT, 2006 per O. Reg. 686/21						
E. Source Protection Authority <i>The main goal is to protect existing and future municipal drinking water sources in the North Bay-Mattawa Source Protection Authority (NBMSPA) per the Clean Water Act, 2006.</i>	Governance (Current)	Source Protection Authority (SPA) Board of Directors, Source Protection Committee (SPC), program management, reports, meetings, events.	CA Act S. 21.1(1). O. Reg. 686/21 S.13	Category 1	Operating	
	Technical Studies, Policy Development and Review (Current)	Lead technical studies, policy development and review as required. Liaise with stakeholders including municipalities, the province, landowners and others.	CA Act S. 21.1(1). O. Reg. 686/21 S.13	Category 1	Operating	
	Proposal Review, Comments and Responses	Review and comment on proposals made under another Act that are circulated to the NBMSPA to determine whether the proposal relates to a significant threat under the source protection plan or has a potential impact on drinking water sources protected by the plan. Respond to inquiries.	CA Act S. 21.1(1). O. Reg. 686/21 S.13	Category 1	Operating	
	Source Protection - Plan Input and Review (Current)	Review and comment on proposals made under the <i>Planning Act</i> that are circulated to the NBMSPA to determine whether the proposal relates to a significant threat under the source protection plan or has a potential impact on drinking water sources protected by the plan.	CA Act S. 21.1(1). O. Reg. 686/21 S.13 Clean Water Act S.38	Category 1	Operating	
	Significant Threat Policy Implementation: Education and Outreach	Implement policies in the source protection plan to address significant threat policies that designate NBMCA/NBMSPA as an implementer for education and outreach to landowners regarding identified activities.	CA Act S. 21.1(1). O. Reg. 686/21 S.13 Clean Water Act S.38	Category 1	Operating	
	Significant Threat Policy Implementation: Monitoring and Research	Implement significant drinking water threat policy (in the source protection plan) that designates NBMCA as an implementer. The policy specifies monitoring in the Callander Issue Contributing Area (monitoring: Callander Bay, Wasi Lake, Wasi River, Burford Creek, Windsor Creek, Lansdowne Creek).	CA Act S. 21.1(1). O. Reg. 686/21 S.13 Clean Water Act S.38	Category 1	Operating	
	CATEGORY 1 (MANDATORY): ON-SITE SEWAGE SYSTEM PROGRAM UNDER PART 8 OF THE BUILDING CODE ACT per O. Reg. 686/21					
	F. On-site Sewage System Program <i>The main goal is to regulate existing and new septic systems to protect the environment per the Building Code Act, 1992, Part 8.</i>	Permitting and Compliance	NBMCA is named under the OBC to implement Part 8. Enforce provisions of the Building Code Act and the building code related to on-site sewage systems (septic systems) in municipalities and territory without municipal organization prescribed in the building code. Policy, workplanning, program delivery, legal fees, communications, administration, staffing, data management and other program support.	CA Act S. 21.1(1) O. Reg. 686/21 S.14	Category 1	Operating
Mandatory Maintenance Inspections (Current)		Approximately 527 septic systems are identified as significant threat activities in the Callander Bay Issue Contributing Area (ICA) and Powassan Wellhead Protection Area (WHPA) vulnerable areas, under the Clean Water Act, 2006. The Ontario Building Code (OBC) requires that mandatory maintenance inspections (MMI), i.e. inspections every 5 years, apply to these septic systems. NBMCA is named under the OBC to implement Part 8 including MMI.	CA Act S. 21.1(1) O. Reg. 686/21 S. 13, S.14, Clean Water Act S.38 Section 1.10.2 of Division C of the Ontario Building Code (OBC)	Category 1	Operating	

Schedule A

Program Area	Program and Service (Current and NEW)	Description	Legislative Reference	Category	Operating/ Capital
CATEGORY 2 (MUNICIPALLY DELEGATED): PROGRAMS AND SERVICES PROVIDED ON BEHALF OF A MUNICIPALITY					
G. Watershed-Municipal Programs <i>These are municipal programs and services that NBMCA provides on behalf of a municipality.</i>	Watershed Monitoring (Current and NEW)	Current NBMCA watershed monitoring of interest to member municipalities: Four Mile Creek, Parks Creek (North Bay), Trout Lake (North Bay, East Ferris), Lake Nobsnosing (East Ferris, Bonfield), Wasi Lake (Chisholm), Boulder Creek, Bear Creek (Callander), Turtle Lake, Pine Lake, Lake Talon, Sharpes Creek (Bonfield), Smith Lake, Pautois Creek (Calvin), Papineau Lake, Taggart Lake, Earls Lake, Lake Chant Plein (Papineau-Cameron), Boom Creek (Mattawa). POTENTIAL NEW monitoring of interest to City of North Bay: PFAS contaminant monitoring in Trout Lake, Lees Creek and other water resources.	CA Act S. 21.1.1	Category 2	Operating
	On-site Sewage System Program Re-inspection Program (Current)	Septic System Re-inspection Program: Re-inspection program under the Trout Lake Management Plan (as required by the City of North Bay Official Plan). Approximately 100 homes annually. Municipal levy is from the City of North Bay.	CA Act S. 21.1.1	Category 2	Operating
CATEGORY 3 (NBMCA DETERMINED): PROGRAMS AND SERVICES ADVISABLE BY NBMCA					
H. Watershed-Support Programs <i>These are programs and services that NBMCA has determined are advisable to provide to further the purposes of the CA Act.</i>	Watershed Monitoring (Current)	Water quality: North River and Balsam Creek (Phelps) Benthic/Biological Monitoring and Assessment Program (OBBN): samples collected annually and processed/identified by staff. This process evaluates surface water quality using macro-invertebrates (insect larvae, etc.) living in streams and supports Watershed Report Card Evaluations and Watershed Health Checks.	CA Act 21.1.2 (1)	Category 3	Operating
	Watershed Report Card (Current)	Report backs to the community on the current state of the watershed(s) based on surface water and groundwater quality, forest cover and wetland cover. The report card focuses on sub-watershed areas.	CA Act 21.1.2 (1)	Category 3	Operating
	Land Acquisition and Disposition (Current)	Acquisition and management of lands containing important natural heritage or natural hazard features or strategically aligned with existing NBMCA land holdings. Disposition of lands considered surplus to the vision, mandate and strategic goals of NBMCA.	CA Act 21.1.2 (1)	Category 3	Capital
	Land Lease and Agreement Management (Current)	Critical for the Land Inventory which is a Category 1 program and service. Management of current and future land /property leases and agreements. These help drive land based revenues to offset the costs associated with management and maintenance of NBMCA's land holdings.	CA Act 21.1.2 (1)	Category 3	Operating
	Stewardship and Restoration (Current and NEW)	Apply for and manage external funding to support and promote community tree planting, private land stewardship, outreach. Provide advice to property owners. Includes Trees for Nipissing and Clean Green Beautiful stewardship programs.	CA Act 21.1.2 (1)	Category 3	Operating
	Miskwaadesi (Current)	"Miskwaadesi" is Ojibwe for Painted Turtle. The turtle petroform is on the Chippewa Creek EcoPath in North Bay, where Indigenous and non-Indigenous people can gather while developing an appreciation of the significance of water. Fundraising is underway to complete the amphitheater seating area. Through an MOU in 2021 with the North Bay Indigenous Friendship Centre (NBIFC), NBMCA is responsible for all maintenance costs and site security. Municipal levy is from City of North Bay.	CA Act 21.1.2 (1)	Category 3	Capital

Schedule A

Program Area	Program and Service (Current and NEW)	Description	Legislative Reference	Category	Operating/ Capital
CATEGORY 3 (NBMCA DETERMINED): PROGRAMS AND SERVICES ADVISABLE BY NBMCA					
Cont'd: H. Watershed-Support Programs <i>These are programs and services that NBMCA has determined are advisable to provide to further the purposes of the CA Act.</i>	Miskwaadesi (Current)	"Miskwaadesi" is Ojibwe for Painted Turtle. See above for details. Through an MOU in 2021 with the NBIFC, the NBMCA is responsible to coordinate all group bookings; secure NBIFC approval for requests for Indigenous programming. NBMCA is responsible for software and maintaining records related to bookings. Municipal levy is from City of North Bay.	CA Act 21.1.2 (1)	Category 3	Operating
	On-site Sewage Systems related Plan Input and Review – Member Municipalities/Planning Board (Current)	Technical information and advice to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Plan of Condominium, Site Plan Approvals, Consents, Minor Variances, etc.) and input to municipal land-use planning documents with respect to on-site sewage systems. Input and Review are provided following OBC Part 8 method and procedures. Partly covered through fees, and remaining by municipal levies.	CA Act S. 21.1.1	Category 3	Operating
	On-site Sewage Systems related Plan Input and Review – Unincorporated Areas (CA Area of jurisdiction) (Current)	Comments provided on Planning Act applications in unincorporated areas in CA area of jurisdiction (PHELPS, Orlig, Boulter, Lauder, Ballantyne, Wilkes, Pentland, Boyd, Biggar, Osler, Lister). OBC Part 8 - septic systems. MMAH is the approval authority. Applications are received from applicant not MMAH. Input and Review are provided following OBC Part 8 method and procedures.	CA Act 21.1.2 (1)	Category 3	Operating
	On-site Sewage Systems related Plan Input and Review – other Municipalities and Planning Boards (Current)	Comments provided on Planning Act applications through the planning authority as a condition of their approval process. Input and Review are provided following OBC Part 8 method and procedures.	CA Act 21.1.2 (1)	Category 3	Operating
	On-site Sewage Systems related Plan Input and Review - Legal Inquiries (Current)	Respond to legal, permitting and real estate related inquiries of the on-site sewage system program. This is a revenue-generating service.	CA Act 21.1.2 (1)	Category 3	Operating
	Mattawa River Canoe Race (Current)	Host the 64 km canoe race on the Mattawa River annually, from North Bay to Town of Mattawa.	CA Act 21.1.2 (1)	Category 3	Operating
	Asset Management Plan (NEW)	Asset Management Plan for all NBMCA-owned assets including buildings/facilities, vehicle fleet, equipment, etc. (The natural hazard infrastructure asset management plan is included under Natural Hazards Risk Management, see Category 1).	CA Act S. 20. O. Reg. 402/22 - General Capital Costs.	Category 3	Capital
	Laurentian Ski Hill and Snowboarding Club - Routine Activities (Current)	Support to the Laurentian Ski Hill for operations, including staff time and all associated fees and expenses. Municipal levy is from the City of North Bay.	CA Act 21.1.2 (1)	Category 3	Operating
	Laurentian Ski Hill and Snowboarding Club - Major Capital Asset Improvements and New Capital Assets (Current)	Support to the Laurentian Ski Hill for capital asset upkeep, including staff time and all associated fees and expenses. This is not a levy but a request to all member municipalities.	CA Act 21.1.2 (1)	Category 3	Capital
	I. Ski Hill				

November 30, 2023

Ms. Kim Bester
Municipality of Powassan
250 Clark Street, Box 250
Powassan, On
POH 1Z0

Via Email: kbester@powassan.net

Dear Ms. Bester,

Re: Draft Powassan Official Plan Update

1. Background

Planscape was retained by the Municipality of Powassan to lead an update to the Official Plan as required under Part III of the *Ontario Planning Act, R.S.O., 1990*. The Act requires that a municipality's Official Plan be updated every 5 years in order to ensure that the policies reflect current provincial legislation and respond to changing local conditions.

The Municipality of Powassan came into being on January 1, 2001. The Municipality's first Official Plan was introduced in October 2003 and received Ministerial approval in 2006. Since then, the Official Plan was updated through By-Law 2012-21, however, no comprehensive updates have been completed to date.

This comprehensive update provides an important opportunity to take account of the changes that have occurred since the 2006 Official Plan was approved and introduce new policies which can assist the municipality in achieving its economic, social and environmental objectives.

2. Local Objectives

As part of the RFP process The Municipality of Powassan identified the following key areas that were to be part of the scope of work, these local objectives include:

- Undertaking a socio-cultural review with an emphasis on the Municipality's historical and heritage assets;
- Ensure that the Municipal Asset Management Plan is considered and reflected in the new policy framework;
- Consideration of the Municipality's water and wastewater capacity;
- Development of appropriate transportation policies;
- Integration of employment policies which fully consider a changing economy;
- Review the downtown core areas and integrate policies which consider the needs and expectations of merchants and businesses; and

- Development of urban forestry guidelines and policies which will address existing streetscapes and natural areas.

Planscape has worked to thoughtfully address these seven key priority areas, and expand policies including severances, wildland fires and on-farm diversified uses.

3. Official Plan Review

Prior to the creation of the current draft Official Plan, Planscape held a pre-consultation with representatives from seven provincial ministries including;

- Ministry of Municipal Affairs and Housing (MMAH);
- Ministry of Economic Development, Job Creation, and Trade (MED);
- Ministry of Environment, Conservation and Parks (MECP);
- Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR);
- Ministry of Agriculture, Food, and Rural Affairs (OMAFRA);
- Ministry of Heritage, Sport, Tourism and Cultural Industry (MHSTCI); and
- Ministry of Transportation (MTO).

The representatives provided comments on a range of policies which have been addressed in this draft document.

4. Next Steps?

If Council is satisfied with the proposed revisions to the Official Plan, the next step would be to schedule a future meeting with Council that is open to the public to receive general comments or considerations before sending the document to the Ministry of Municipal Affairs & Housing for comments. Once these comments are received, we would schedule a formal Open House and Statutory Public Meeting to provide the public with another opportunity to review the proposed revisions to the Official Plan and provide further input prior to the adoption of the Plan.

5. Proposed Recommendation:

THAT Council acknowledges receipt of the subject report regarding the Official Plan Review submitted by Planscape dated November 30, 2023, and proceeds to host a brief public meeting at a future meeting of Council to afford the public with a preliminary opportunity to review and comment on the proposed Plan.

Yours truly,

PLANSCAPE INC.



Matt Somerville, MCIP, RPP, CAHP
Senior Planner



OFFICIAL PLAN

DRAFT FOR DISCUSSION

Please Note:

- Text highlighted in **green** indicates substantive change to the earlier official Plan
- Policies highlighted in **yellow** (See: Section 5.7.4 New Lots) section have not been confirmed by the Province.

DRAFT November 30, 2023

Prepared by:



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MINISTERS APPROVAL

OFFICIAL PLAN FOR THE MUNICIPALITY OF POWASSAN

The Official Plan for the Municipality of Powassan, which was adopted by the Council of the Corporation of the Municipality of Powassan, on the _ day of _____ 2023, by By-law No. _ , is hereby approved in accordance with Section 17 of the Planning Act, 1990, c.p. 13, as amended, as the Official Plan for the Municipality of Powassan.

Date

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. _____

The Council of the Corporation of the Municipality of Powassan in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P13, c.1, as amended, hereby enacts as follows:

1. THAT the Official Plan for the Municipality of Powassan, being the attached text and Schedules A, B, C and D, is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for the approval of the aforementioned Official Plan for the Municipality of Powassan and to provide such information as required by Section 17 (7) of The Planning Act, R.S.O. 1990, Chapter 13, c.1, as amended.
3. THAT upon approval of this Plan by the Minister of Municipal Affairs and Housing, the Official Plan for the Municipality of Powassan are hereby rescinded.
4. THIS By-law shall come into force and take effect on the day of passing thereof subject to receiving the approval of the Minister of Municipal Affairs.

Enacted and passed this _ _ day of _____ 2023.

Mayor

Clerk

Certified that the above is a true copy of By-law No. _____ as enacted and passed by the Council of the Corporation of the Municipality of Powassan on the _____ day of _____, 2023.

1.0 INTRODUCTION

1.1 Community Profile

Located in the Almaguin Highland region of the Canadian Shield the Municipality of Powassan is defined by the beauty of its natural heritage, its relationship to transportation networks and agricultural strength. The current boundaries of the Municipality of Powassan are within the traditional area of the Anishinaabe peoples, and is part of the Robinson Huron and Williams Treaties areas. As of the last census, the community has a population of 3,346 residents and encompasses an area of approximately 3,346 km², including two settlement areas: the fully serviced former Town of Powassan and the privately serviced settlement area of Trout Creek.

Both the Town of Powassan and Trout Creek were founded with sawmills and dams forming their historic cores. The name “Powassan” finds its roots from the Ojibway word meaning “bend, or bend in the river” as the original community was located at the South River at what is now Bingham Chute. To the south, Trout Creek was founded where the newly constructed Northern and Pacific Junction Railway line intersected with the Trout Creek and lumber industry it sustained. As rail construction moved north towards the Town of Powassan the community relocated eastwards, away from Bingham Chute towards the new rail line and the prosperity it promised.

Over the course of the 20th century, new north/south transportation links connecting Southern Ontario with Northern Ontario emerged and grew in importance. Highway 11 emerged as one of the principal north/south provincial corridors, bisecting the Municipality and connecting both the former towns of Trout Creek and Powassan.

In the late 1990s, the Province moved forward with a decision to twin Highway 11 to improve connections between urban centres in the north with ones in the south. As part of the project, bypasses were created around both the Town of Powassan and Trout Creek. As a result of this construction, both communities have experienced a long-term decline in the commercial viability of main street businesses that were associated with the highway traffic.

Today, the Municipality of Powassan is emerging from this period with an ability to harness emerging trends of remote work, more attention to work/life balance and a growing interest in outdoor recreation. With its access to an extensive recreational trail network, proximity to Algonquin Park, opportunities for hunting and fishing and stunning rivers and lakes the Municipality offers both residents and visitors a high quality of rural life while offering rapid connections to nearby major urban centres.

1.2 Intent

This plan seeks to identify opportunities for new growth in rural areas of the municipality while protecting identified prime agricultural areas. It also will support urban service areas to adapt to limited growth conditions while creating new transportation linkages and improving urban design.

This Official Plan is intended to form the foundation for decisions that are to be made by Council, members of the public and government agencies, with respect to future land use and economic development in the Municipality of Powassan. It is intended to guide future development to areas where it is most suited and to protect the physical and natural resources of the Municipality to provide sustainability and allow for its continued enjoyment.

This new Official Plan is an update to the 2003 Official Plan. The updated plan provides new policies and direction to assist the municipality in meeting the rules and regulations set out by the Province of Ontario and various Ministries. This Plan establishes policies that will be considered throughout the development approval process and when considering public works and other municipal services and is informed by the following policies:

1.3 Title and Components

The text of this Plan and Schedules A, B, C and D shall constitute the Official Plan for the Municipality of Powassan.

This Official Plan is the Plan for the Municipality of Powassan. This Official Plan and its implementing Zoning Bylaw will replace the existing regulatory framework to guide future land use decisions in the Municipality.

1.4 Provincial Policy

In preparing this Plan, regard has been had for the Section 2 of the Planning Act, and the Provincial Planning Statement (“PPS”), issued under Section 3 of the Planning Act. This Plan does not replicate the wording of that document. However, it is consistent with the policies of the PPS as they relate to the Municipality of Powassan.

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

2.1 The Powassan Urban Area is the only fully serviced community in the Municipality, and as such, it represents an opportunity for sustainable growth which makes wise use of existing public infrastructure. However, to accommodate growth in the community, improvements to the sewage treatment systems are necessary.

Population data used to project and determine future household and lot creation demands are based on population, housing and lot creation trends over the past 15 years. Since the last census the Powassan Urban Area has experienced a population decline of 7.6% from 1,343 (2016) to 1,241 (2021). The population decline is a concern for the community and this plan offers a number of means to encourage new economic and population growth.

In recent years, the pandemic has contributed to accelerated technological transformations that allow an increasing number of individuals to work and live remotely. As a result, the Municipality has experienced an increased interest in surrounding rural severances outside of the designated urban areas. This plan seeks to facilitate additional rural severances, where appropriate, and in a manner that protects future residents from the increasing risk of natural hazards.

The natural beauty of the Municipality of Powassan is a draw for residents and tourists alike, but the area is under increasing stress because of climate change. The effects of climate change are affecting all aspects of life within the Municipality from increased variability of temperature and precipitation, leading to an increased risk of flooding and fires. This plan will provide the Municipality and its residents with tools to take proactive steps to mitigate and adapt to the increasing threat of climate change.

In the face of the risks associated with climate change and municipal fiscal responsibility, the Municipality has developed an Asset Management Plan to guide future investment. These principles provide for a forward-looking community-focused approach that is fiscally prudent and prioritizes sustainable economic development while respecting and maintaining ecological and biological diversity. The principles of the Asset Management Plan have been integrated into this plan.

Core to the long-term economic health of the Municipality and its residents, is that new development should be encouraged to locate appropriately within the fully serviced Powassan Urban Service Area, so as to take advantage of existing hard and soft services as they best align with the goals of the Strategic Asset Management Plan.

2.2 This Plan designates sufficient lands to meet the residential and commercial growth of the community over the next 15 years and to make the most efficient use of the existing municipal services in the Urban Service Area. Population data used to project

population and determine future household and lot creation demands are based on population, housing and lot creation trends over the past 15 years. It is anticipated that residential growth will occur at an average rate of 25 persons per annum.

- 2.3 Outside of the Powassan Urban Service Area, Trout Creek will remain as a privately serviced area.
- 2.4 There are areas of the Municipality of Powassan that contain non-renewable resources such including aggregates and **tertiary resources**. These resources will continue to be important for future use and economic development in the Municipality.
- 2.5 There are significant areas in the Municipality of Powassan that are environmentally sensitive and need to be protected from incompatible land uses and activities. There is sufficient land in the Municipality available to meet the needs for development without needing to develop lands that are environmentally sensitive.

2.6 Council shall promote the sustainable economic development of the municipality by:

- Supporting the housing and residential growth;
- Supporting the continued development of the Fairview Industrial Park;
- Providing support for local business and community events;
- Supporting the development of additional high-visibility commercial and industrial opportunities along Highway 11;
- Pursuing/Promoting new Business Opportunities throughout the municipality;
- Regularly communicating opportunity and success stories relating to Powassan to the public; and
- Developing recreation and leisure opportunities.

2.7 Council shall preserve designated Class 3 agricultural lands, protect ongoing agricultural operations and encouragement of on-farm diversified uses as they are important to the economy of the area and the well-being of its residents.

2.8 New tourism development that is compatible with the environment and surrounding land uses are to be encouraged as a means of improving employment opportunities within the Municipality and supporting the economic well-being of the residents.

3.0 OBJECTIVES

This section of the Plan establishes the fundamental policies that will guide future development in the Municipality of Powassan. The policies and land use designations contained in the Plan are based on achieving these objectives. If clarification of the intent of the Official Plan policies is required, Council should refer to the objectives listed in this section.

The **Objectives** of this Plan are as follows:

- 3.1 To create a sense of community and develop a clear strategy for the physical development of the Municipality as a single entity;
- 3.2 To encourage the creation of the full range of housing options, including affordability needs, by encouraging, permitting and facilitating:
 - i) all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
 - ii) all types of residential intensification, including the conversion of existing commercial and institutional buildings for residential use, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential and additional/secondary residential units.
- 3.3 To direct new residential development primarily to the Urban Service Area, to the extent that it can be accommodated on full municipal services, and secondarily to the Trout Creek Settlement Area;
- 3.4 To ensure that natural resource activities, including forestry, hunting, fishing and other recreational activities can continue in a manner that is sustainable;
- 3.5 To encourage diversified economic growth and promote tourism that is compatible with the character and environment of the Municipality;
- 3.6 To ensure that agricultural activities can continue and expand in order to adapt to changing market conditions;
- 3.7 To maintain or enhance the rural character and natural features of the Municipality;
- 3.8 To encourage sustainable growth in the Trout Creek Settlement Area that will provide a more complete range of services and opportunities in that community;
- 3.9 To avoid land use conflicts and premature development that may limit the appropriate and desirable development of the Municipality in the future; and,
- 3.10 To establish a level of service in the Municipality that recognizes the limited financial resources of the community.
- 3.11 To ensure all new plans or policies created by the municipality align with the Asset Management Plan.

4.0 GENERAL DEVELOPMENT POLICIES

These policies apply to all development in the Municipality. When considering proposals for development, Official Plan Amendments, Zoning Bylaw Amendments, Consents, Subdivision or any other form of development requiring approval from the appropriate approval authority, the following policies should be considered.

4.1 Aggregate and Mineral Resources

- 4.1.1 Areas having high mineral potential are identified as Bedrock Resources, Primary Sand and Gravel Resources and Tertiary Resources on Schedule “B”. These areas shall be protected for long-term use for resource extraction. Development of these areas for purposes other than resource extraction will not be permitted except where it can be demonstrated that the proposed development has a greater long-term public interest than the extraction of the resource and will not hinder or preclude the establishment of future extractive activities and that issues of public health, public safety and environmental impact are addressed, or that the extraction of the resource is not feasible due to surrounding land uses or other physical or human-made features. Proponents of non-extractive land uses in these areas will be required to provide a justification to the satisfaction of the appropriate approval authority to support alternate land use proposals. Technical reports may be required as part of the justification existing residential use and environmentally sensitive lands. New aggregate extraction uses, except for wayside pits and quarries, portable asphalt plants and related uses, will require an amendment to the Zoning By-law.
- 4.1.2 Wayside pits, wayside quarries and portable asphalt plants are permitted without an amendment to this Plan or the implementing Zoning Bylaw except in areas within 300 metres of an existing residential use and environmentally sensitive lands. New aggregate extraction uses, except for wayside pits and quarries, portable asphalt plants and related uses, will require an amendment to the Zoning By-law.
- 4.1.3 When considering applications for re-zoning to permit extractive activities Council will require:
- i) a feasibility study and financial impact statement;
 - ii) the submission of an environmental impact statement;
 - iii) a site and extractive staging plan;
 - iv) a report on the haul routes and potential impact on municipal roads;
 - v) a rehabilitation plan, and,
 - vi) that applicants consider the requirements of the Ministry of Northern Development, Mines and Forestry under the Aggregate Resources Act and Mining Act.
- 4.1.4 New or expanding mineral resource operations should be well removed from sensitive land uses, including residences. When applications are made under the Planning Act for a new or expanding mineral resource operation, the appropriate approval authority shall consider the Ministry of Environment’s Guideline D-6, “Compatibility between Industrial Facilities” in determining the minimum separation distance separation of a Class III industrial facility as set out in applicable Sections.

New or expanding operations may also be subject to Site Plan Control agreements as per Section 41 of the Planning Act.

- 4.1.5 Where development is proposed in proximity to existing mineral resource operations, the development shall be set back and buffered sufficiently to ensure that the development is not adversely **affected by noise**, dust or other health and safety issues related to the mineral resource operation.

Where the development proposal is for sensitive land use, including a residence, the development proponent shall demonstrate to the satisfaction of the appropriate approval authority that there will be no adverse effects from noise, odor or other contaminants on the proposed development from the existing mineral resource operation. **The appropriate approval authority shall consider the Ministry of Environment's Guideline D-6, "Compatibility between Industrial Facilities" in determining the minimum separation distance separation of a Class III industrial facility as set out in the applicable Sections.**

- 4.1.6 **Best-practice** rehabilitation to accommodate subsequent land uses will be required for new or expanding mineral resource operations. The implementation of **best-practice** rehabilitation requirements will be considered by the municipality at the time an application is made under the Planning Act.

- 4.1.7 For development applications within 1000m of an Abandoned Mines Information System (AMIS) site, it is required that Northern Development and Mines be contacted for an assessment of the AMIS features.

- 4.1.8 In the absence of approvals and regulations under the Aggregate Resources, Act, the Municipality shall pass a bylaw under the Municipal Act, to regulate extractive operations. This bylaw may require that the applicant enter into an agreement with the Municipality respecting the following matters:

- i) arrangements for the rehabilitation of the site after extraction has ceased or during the various stages of extraction;
- ii) timing of blasting or crushing operations;
- iii) the provision of visual buffers;
- iv) the use of access roads;
- v) the retention or processing of wastewater and other pollutants; and,
- vi) the provision of detailed site plans of the area, as it will appear during use and after rehabilitation.
- vii) extractive uses shall also be subject to Site Plan Control.

4.2 Agricultural Uses

- 4.2.1 All agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices shall be used in accordance with appropriate rural zoning**

- 4.2.2 Any development occurring in the vicinity of livestock operations and new or expanding livestock operations shall meet the requirements of the Minimum Distance Separation (MDS) Formulae. The MDS formulae will be incorporated into the Municipality's comprehensive Zoning By-law.

- 4.2.3 Where intensive livestock operations are proposed, Council may pass a bylaw requiring the preparation of a nutrient management plan as a condition of issuing a building permit. The nutrient management plan shall demonstrate that there is sufficient land available to the livestock farm operator to dispose of the nutrients generated on the site in an environmentally sound manner.
- 4.2.4 When considering applications for new lots and other developments that may restrict the use of land for agricultural purposes, Council shall consult with the agricultural community to ensure that the development proposed will not adversely affect the ability of the agricultural uses to operate and expand to meet changing economic conditions.
- 4.2.5 As a condition of approval for non-agricultural land uses in areas formerly used for agricultural purposes Council may require proof that groundwater meets Provincial guidelines for potable drinking water.

4.3 Archeological Resources

- 4.3.1 To protect areas of archaeological potential a 250m development buffer zone shall be established from any water source.
- i) If new development is proposed within the 250m buffer zone and the area has been previously developed, Council may require the submission of a Stage One Archeological Assessment.
- 4.3.2 If any development is proposed in proximity to any registered archaeological site, and/or areas of archaeological potential, Council may require the submission of a Stage One Archeological Study. If there is a likelihood that an archeological site exists, further studies will be required to determine the nature and extent of the feature.
- 4.3.3 Archeological assessment reports shall be conducted by a licensed archaeologist in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport. 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:
- i) require the site to be preserved in its natural state;
- ii) require that portions of the site remain preserved through the development process; or
- iii) require that artifacts found on the site be removed and preserved for public education.
- 4.3.5 Council shall consult appropriate government agencies, including the Ministry of Tourism, Culture and Sport 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 Crown Lands

- 4.4.1 This Plan recognizes that the Province has the ultimate jurisdiction for determining the use of Crown land. Council encourages the preservation of Crown lands in the Municipality for the use and enjoyment of residents and tourists, as well as resource management activities.
- 4.4.2 Resource management activities shall be conducted in accordance with the standards and guidelines established by the Ministry of Natural Resources and the Ministry of Northern Development and Mines.
- 4.4.3 Resource extraction activities on Crown lands are under the jurisdiction of the Province.

4.5 Cultural Heritage Resources

4.5.1 The municipality shall use the authority and tools provided by legislation, policies, and programs, including the Ontario Heritage Act, the Planning Act, the Provincial Planning Statement, the Environmental Assessment Act and the Municipal Act;

4.5.2 The Municipality shall protect and conserve cultural heritage resources in accordance with applicable legislation and recognized heritage protocols. In this regard, the Municipality:

- i) Shall maintain a Register of Cultural Heritage Resources in accordance with the Ontario Heritage Act;
- ii) May designate cultural heritage resources, under the Ontario Heritage Act;
- iii) May establish heritage conservation districts and adopt heritage conservation district plans for each district;
- iv) May establish guidelines on the management of cultural heritage resources under the Ontario Heritage Act;
- v) May establish policies and/or urban design guidelines to recognize the importance of an area's cultural heritage context and identity; and
- vi) May impose conditions on development, providing for:
 - i) The provision of easements or covenants for the conservation of cultural heritage resources; and
 - ii) The implementation of appropriate conservation, restoration or mitigation measures to ensure the conservation of any affected cultural heritage resources.

4.5.4 The Register of Cultural Heritage Resources shall be periodically updated to determine if additional properties warrant inclusion or if additional information is required in respect to the heritage attributes of designated cultural heritage resources including cultural heritage landscapes to conserve cultural heritage resources on an ongoing basis.

4.5.5 Development shall be designed so as to conserve designated cultural heritage resources including cultural heritage landscapes.

4.5.6 Development and site alteration adjacent to a property with a protected cultural heritage resource shall ensure that the heritage attributes of that property are conserved.

4.5.7 Development shall be encouraged to retain, rehabilitate and adaptively reuse cultural heritage resources identified on the Register as an integral part of the development in order to maintain and enhance the identity and character of the Municipality.

4.5.8 The Municipality may require a Cultural Heritage Impact Assessment or a Cultural Heritage Conservation Plan, prepared by a qualified professional where development is proposed:

i) Adjacent to, or in the immediate vicinity of, a building, structure or landscape designated or on the register under the Ontario Heritage Act; or

ii) Within or adjacent to, or in the immediate vicinity of, a Heritage Conservation District.

4.5.9 All options for on-site retention of cultural heritage resources shall be exhausted before resorting to relocation. Relocation of built heritage resources shall be considered only through a Cultural Heritage Impact Assessment or a Cultural Heritage Conservation Plan that addresses retention and relocation.

4.5.10 The Municipality will work with public agencies to ensure that publicly owned cultural heritage resources are conserved and maintained in a state of good repair over the long term.

4.6 Earth and Life Scientific Areas

4.6.1 The following Earth Science Areas and Life Science Areas have been identified within the Municipality and spanning into adjacent municipalities:

- Sausage Lake Forest Conservation Reserve;
- South River Conservation Reserve;
- Nipissing Ridge Beach Scarps and Shoreline; and
- Graham Hill Earth Science Area.

4.6.2 New development shall not be permitted on these lands. Council will encourage the maintenance and preservation of these areas to promote the history of the Municipality and attract additional investment in tourism. Development that does not negatively impact the natural features or ecological function, for which the area has been identified, may be permitted on adjacent lands.

4.7 Economic Development

4.7.1 This Official Plan includes enough designated employment and residential lands for a 25-year development horizon within both the Powassan and Trout Creek Rural Settlement Areas as well as rural areas.

4.7.2 The municipality is encouraged to prepare an Economic Development Strategic Plan to identify areas of economic growth potential and update this plan as required.

4.7.3 The municipality is encouraged to seek opportunities for collaboration and cost-sharing for economic development with other neighbouring municipalities as well as governmental and non-governmental bodies.

4.8 Dark Sky Policies

- 4.8.1 Where development that would generate higher light levels such as large-scale commercial uses, industrial uses, illuminated parking areas or illuminated playing areas Council will use site plan control to ensure that light trespass to adjacent properties is prevented.
- 4.8.2 All Planning Act applications, which potentially affect the ambient levels of light in the Municipality shall be subject to agreements and land use restrictions that are intended to minimize light trespass.

4.9 Environmental Impact Assessments

- 4.9.1 Where this Plan makes reference to Environmental Impact Assessment Reports the report shall include the following:
- i) the proposed development;
 - ii) the significant features within the surrounding area;
 - iii) the potential impacts of the development on the natural feature;
 - iv) options for locating the development in a less sensitive area;
 - v) techniques that should be used to mitigate potential impacts;
 - vi) means to implement the mitigation measures, and
 - vii) potential impacts that cannot be mitigated through known measures.
- 4.9.2 Any development that has satisfied the provisions of the Environmental Assessment Act will not require further study to satisfy this policy.

4.10 Environmental Protection

- 4.10.1 No development shall be permitted that results in the degradation of the quality and integrity of the ecosystem, including air, water, land and plant, animal and human life. The Municipality of Powassan will encourage the restoration or remediation of any lands where the quality and integrity of an ecosystem has been impacted.

4.11 Fish Habitat

- 4.11.1 Schedule B outlines areas that have been identified as Class 1 Fish Habitat. These areas are important feeding and spawning grounds and must be protected for the fish to carry out their life cycle and to ensure a healthy population of sports fish in the Municipality and watershed. Opportunities for fish resource management are encouraged.
- 4.11.2 Development in and within 30 metres of Class 1 fish habitat will only be permitted where it has been demonstrated by a **qualified** ecologist or to the satisfaction of the approval authority that there will be no negative impacts from the proposed development on the existing fish habitat or its function. Proponents of development in these areas shall be required to submit an Environmental Impact Assessment report from a qualified professional which will identify the limits and characteristics of the fish habitat areas, and any further approvals which may be required under existing provincial and/or federal legislation. Where appropriate, the report will provide recommendations that will ensure that the development proposal will have no negative impacts on the fish habitat feature or function. The recommendations of this report, if any, shall be implemented through appropriate planning tools, such as conditions of development and zoning.

Compensation for lost habitat may be required by the Federal Department of Fisheries and Oceans. Where the report concludes that development cannot occur without having negative impacts on fish habitat, the application for development shall be denied.

4.11.3 Where there has been no assessment of the quality of the waterway in terms of fish habitat, the implementation authority shall treat the waterway as Class 1 Fish habitat until proven otherwise through technical reports prepared by a qualified professional.

4.12 Forestry

4.12.1 Where forestry activities occur on private lands within the Municipality, buffer areas should be provided between clear-cut areas and municipal roadways, shoreline areas and environmentally sensitive areas. Reforestation in areas where forest resources have been depleted is encouraged.

4.12.2 The maintenance of forest cover within 30 meters of rivers and stream banks is encouraged. A minimum buffer of 60 meters adjacent to public roadways and areas of high visibility should be left in a natural state.

4.13 Housing Policy

4.13.1 Council shall work with all available partners to facilitate the construction of a full range of housing options including affordable housing by permitting and facilitating:

- i) All housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
- ii) All types of residential intensification, including the conversion of existing commercial and institutional buildings for residential use, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential and additional/secondary residential units.

4.13.2 Council shall promote densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation.

4.13.3 Council may use a Community Improvement Plan (CIP) to incentivize the creation of affordable housing units through the provision of the following incentives:

- i) Fee and permit reductions or exemptions;
- ii) Tax increment equivalent grants and deferrals
- iii) Other charges and fee reductions and waivers; and
- iv) Grants and loans for specific initiatives

4.14 Natural Hazards

4.14.1 Development will generally be directed to areas outside of hazardous land adjacent to river and stream systems which are impacted by flooding and/or erosion hazards, and hazardous sites. Hazardous sites may consist of steep slopes, unstable soils,

organic soils, and unstable bedrock. Where development is proposed within or partly within these features, the development proponent shall submit a technical study prepared by a qualified professional to the satisfaction of the appropriate approval authority which demonstrates the following:

- a) the hazard can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;
- b) new hazards are not created, and existing hazards are not aggravated;
- c) no adverse environmental impacts will result;
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- e) the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

Recommendations made in the technical report(s) will be implemented through the planning process. Where the technical report indicates that development within a particular hazard is not feasible, the development shall not proceed.

4.14.2 Development and site alteration will not be permitted within a floodplain. Floodplains and wetland features are identified on Schedule "B" to this Plan. Where development is proposed within a floodplain, the development shall not proceed, unless the development proposal is for a use or structure which, by its very nature, needs to be located within the floodplain, such as floodproofing features.

4.14.3 Flood levels on the South River and its tributaries are regulated by the dam operated by Ontario Power Corporation. Alteration of the operation of this facility could affect flood levels in the Municipality. In the event that Ontario Power Corporation alters the operation of the dam in a manner that would affect flood levels, the Municipality will request a public consultation process to ensure that residents are informed of the impact of the altered flood levels on their lands.

4.15 Human Made Hazards

4.15.1 Human-made hazards consist of mine hazards or former mineral resource operations, and contaminated sites. Known contaminated sites are depicted on Schedule "B" of this Plan.

4.15.2 Where development is proposed on lands which include, or are abutting, or adjacent to lands affected by mine hazards or former mineral resource operations, the development will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under way or have been completed. The approval authority will require documentation from a development proponent to this effect. Approvals are not to be conditional upon the future rehabilitation of mine hazard or former mineral resource operation. Where rehabilitation has not occurred or is not underway, the development shall not proceed.

- 4.15.3 Where development is proposed on lands impacted by a contaminated site, the contaminated site will be restored as necessary prior to any activity occurring on the site associated with the proposed use such that there will be no adverse effect. Contaminated sites include lands where contaminants may be present due to previous uses.

Prior to development occurring, the appropriate approval authority shall ensure the proper decommissioning and clean-up of contaminated sites. Applications for the development or redevelopment of a contaminated site or a potentially contaminated site shall be accompanied by a Record of Site Condition acknowledged by the Ministry of Environment, and if necessary, a site remediation plan prepared in accordance with the Ministry of Environment's guidelines. Where the Record of Site Condition indicates that remediation is necessary, the approval authority shall require that such remediation occurs through the planning process, such as through the imposition of conditions of land division approval.

4.16 Land Use Compatibility

- 4.16.1 Whenever a change in land use is proposed, through any application made under the Planning Act, consideration shall be given to the effect of the proposed use on existing land uses. Where there are potential compatibility concerns, Council will only approve the development when it is satisfied that compatibility issues have been adequately addressed.

4.16.2 Incompatible land uses are to be protected from one another. While buffers between incompatible land uses may be used to prevent or minimize adverse effects, distance is often the only effective buffer, and therefore adequate separation distance, based on a major facility's influence area, is the preferred method of mitigating adverse effects. The separation distance should be sufficient to permit the functioning of the incompatible land uses without adverse effect occurring. The separation distance should be sufficient to permit the functioning of incompatible land uses without adverse effects occurring.

4.16.3 Establishing Influence Areas for Industrial Land Uses

In absence of establishing actual areas of influence for industrial land uses, the following separation distances between industrial and sensitive land uses should be used:

- a) 1000 metres between Class 3 industrial uses and sensitive land uses.
- b) 300 metres between Class 2 industrial uses and sensitive land uses.
- c) 70 metres between Class 1 industrial uses and sensitive land uses.

Where new industrial uses are proposed to be located in proximity to sensitive land uses at distances less than those prescribed above, technical studies will first need to be produced to establish the actual influence area of the industrial land use. Where new sensitive land uses are proposed to be located in proximity to industrial land uses at distances less than those prescribed above, technical studies will first need to be produced to establish the actual influence area of the industrial facility. At no time will the actual influence area of the industrial land use or facility be less than the following:

- a) 300 metres for Class 3 industrial land uses and facilities.
- b) 70 metres for Class 2 industrial land uses and facilities.
- c) 20 metres for Class 1 industrial land uses and facilities.

The actual influence area of a particular class of industrial land use will be established through technical studies by qualified professionals, prepared in keeping with the Ministry of Environment's D-Series Guidelines on Land Use Compatibility. Once the actual influence area is known, and mitigation techniques have been identified, a proposal for a change in land use can proceed, subject to its appropriateness as demonstrated by the technical studies, and subject to the implementation of the findings of the technical studies through the planning process. Where technical studies identify irreconcilable incompatibilities where impacts from discharges and other compatibility problems cannot be reasonably mitigated, the proposed new development shall not proceed.

Classes of Industry are defined in the Ministry of Environment's D-Series Guidelines on Land Use Compatibility.

4.16.4 Establishing Influence Areas for Aggregate Extractive Land Uses

The Ministry of Environment recommends that influence areas for aggregate land uses will always need to be assessed individually. Where new aggregate extractive land uses are proposed in proximity to sensitive land uses, technical studies prepared by a qualified professional in keeping with the Ministry of Environment's D-Series Guidelines on Land Use Compatibility will need to demonstrate the actual influence area of the proposed aggregate land use. Similarly, where new sensitive land uses are proposed within proximity to existing aggregate extractive land uses, technical studies which determine the actual influence area of the aggregate land use will need to be prepared by qualified professionals in keeping with the Ministry of Environment's D-Series Guidelines on Land Use Compatibility. In both circumstances, technical studies must demonstrate that land use compatibility is feasible, and the mitigative measures recommended in the studies, if any, will need to be carried out through a planning process. Where technical studies identify irreconcilable incompatibilities where impacts from discharges and other compatibility problems cannot be reasonably mitigated, the proposed new development shall not proceed.

4.16.5 Development in Proximity to Sewage Treatment Plants

Where development is proposed between 100 and 150 metres of the sewage treatment plants and waste stabilization ponds, the appropriate technical studies should be carried out by qualified professionals in keeping with the Ministry of Environment's D-Series Guidelines. Mitigative measures recommended in the studies, if any, will need to be carried out through a planning process. Where technical studies identify irreconcilable incompatibilities where impacts from discharges and other compatibility problems cannot be reasonably mitigated, the proposed new development shall not proceed.

Development will not be permitted within 100 metres of a sewage treatment plant or waste stabilization ponds.

Should plant capacity exceed 25,000 cubic metres per day, new policies will be developed by Council and added as an amendment to this plan.

4.16.6 Development in Proximity to Operating or Closed Waste Disposal Sites

Where new development is proposed within 500 metres of the boundary of an operating or closed waste disposal site, a feasibility study in keeping with the Ministry of Environment's D-Series Guidelines will need to be prepared by a qualified professional to ensure that there will be no adverse effects from methane gas, leachate, ground water discharge, odour, noise, dust or other contaminants from the waste disposal site on the proposed use. Mitigative measures recommended in the feasibility study, if any, will need to be carried out through a planning process. Where the feasibility study identifies irreconcilable incompatibilities where impacts from discharges and other compatibility problems cannot be reasonably mitigated, the proposed new development shall not proceed.

Where development is proposed within 30 metres of a waste disposal site's fill area, the proposal should not proceed.

4.16.7 Development in Proximity to Provincial Highways and Rail Lines

Where the development of a sensitive land use is proposed within proximity to provincial highways and rail lines, compatibility may need to be demonstrated, depending on the type of provincial highway and rail line, and depending on distance.

Where such development is proposed within 100 metres of a limited access freeway or principal main railway line, or within 50 metres of other provincial highways or secondary main railway lines, a noise feasibility study in keeping with the Ministry of Environment's D-Series Guidelines should be prepared by a qualified professional to first determine if mitigative measures can be feasible to bring noise levels down to Ministry of Environment standards at the site of the proposed development. If the feasibility study is not favourable, the development proposal should not proceed. If the feasibility study is favourable, the development proponent should then provide an acoustical study to show how noise levels will be reduced to provincial standards. The recommendations of the acoustical study should be implemented through the planning process.

Where the development of sensitive land uses is proposed at distances between 100 metres and 300 metres of all provincial highways and principal or secondary railway mainlines or principal branch railway lines, a noise study in keeping with the Ministry of Environment's D-Series Guidelines prepared by a qualified professional may be required if noise levels are anticipated to be above provincial standards. The use of the Ministry of Environment's Predictive Noise Model will assist in determining anticipated noise levels. The recommendations of the noise study, if any, should be implemented through the planning process.

Where development of some sensitive land use in proximity to railway lines within the Powassan Urban Service Area as depicted on Schedule "C" of this Plan, and within the Trout Creek Area as depicted on Schedule "D" of this Plan, the requirement for the production of technical studies referenced in this Section of the Plan may be waived by Council due to historical or site-specific development circumstances. Requirements shall not be waived where new institutional sensitive land uses are proposed, such as

daycare facilities and seniors homes.

4.16.8 Development in Proximity to Other Stationary Noise Sources

Where the development of a sensitive land use is proposed within 300 metres of a stationary noise source not associated with the industry, such as a hydro transformer or gas compressor station, the development proponent shall determine through the production of appropriate technical studies prepared by a qualified professional whether or not the noise is expected to exceed the Ministry of Environment's general noise standards at the location of the proposed development. If the standards cannot be met, an acoustical study should be prepared by a qualified professional in keeping with the Ministry of Environment's D-Series Guidelines and the recommendations of that study should be carried out through the planning processes.

4.16.9 These policies shall also be applied where sensitive land uses are proposed in the vicinity of existing industrial uses.

4.17 Mobile Homes

4.17.1 Mobile homes are permitted dwellings in the Rural designation where the units are double wide units located on a permanent foundation in accordance with the Building Code.

4.18 Noise and Vibration

4.18.1 Where residential development in form of multiple residential units or subdivision is proposed within 100 metres of Highway 11 or the Canadian Pacific Railway, the proponent will be required to submit a feasibility report to confirm that the development can proceed while meeting Provincial noise and/or vibration regulations. Based on this report, impact studies assessing the impacts on the proposed use and the mitigation measures that would be required in the building construction to meet provincial guidelines and standards shall also be required.

4.18.2 The above-noted studies shall not be required for development on existing lots or for development through minor infilling between existing houses in accordance with the Zoning Bylaw.

4.19 Private Sewage Disposal and Water Systems

4.19.1 No development shall be permitted unless it can be shown to the satisfaction of the Municipality that there is an adequate water supply, 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.

4.19.2 In considering impacts on groundwater quality and quantity, the Municipality shall consider the cumulative impacts of development on the sustainability of ground water resources. Where the Municipality is aware of potential problems related to water supply or sewage disposal in an area, developers may be required to submit reports from a qualified engineer providing evidence that site conditions are suitable for development.

4.19.3 Where a new development of more than five residential units is proposed to include communal services, the applicant shall proceed through an amendment to this Plan and will require the developer and subsequent owners enter into an agreement with the Municipality to ensure the Municipality will not have financial liabilities as the result of the development of the communal system.

4.19.4 Where a new residential development of more than five units, or commercial, industrial or institutional development generating more than 10,000 litres of effluent per day is proposed, the applicant shall be required to undertake a report in keeping with the Ministry of Environment's D-Series Guidelines and addressing the following:

- 4.3.4.1 groundwater quantity and quality;
- 4.3.4.2 potential interference with other wells;
- 4.3.4.3 site and soil suitability for sewage disposal; and,
- 4.3.4.4 the most appropriate type of sewage disposal system for the project.

4.20 Recreational Facilities

Council encourages the continued development and improvement to the recreational facilities in the Municipality, provided that the development is in harmony with the open landscape character and is sensitive to the natural environment. Council will encourage the maintenance and preservation of recreational facilities and natural areas to promote eco-tourism and attract new residents to the area.

4.21 Rural Severances

4.21.1 Rural severances shall be encouraged by the Municipality on non-agricultural lands.

4.21.2 Lot creation for limited farm-related residential uses will be permitted where a dwelling becomes surplus as a result of farm consolidation provided that the resulting residential lot:

- a) The surplus dwelling is at least 10 years of age or older;
- a) Does not exceed 1 hectare, except where environmental constraints or other lot configuration factors may result in a parcel larger than 1 hectare;
- b) Meets Minimum Distance Separation (MDS) Formulae established by the Province, as amended from time to time; and,
- c) The retained agricultural land is zoned to prohibit any future residential use.

4.21.3 Lot creation by severance/consent is permitted in the Rural designations in accordance with the applicable general development policies in Section 4 and the land division policies in Section 8 of this Plan.

4.22 Surface Water Quality

4.22.1 Preservation of water quality is a significant consideration in reviewing any development proposal adjacent to and in proximity to a watercourse or lake. In order to preserve water quality, development should be set back 30 metres from the top of bank adjacent to cold water or unclassified rivers and streams and 15 metres from other minor water features. Unless it is impractical to do so, septic systems shall be located at least 30

metres from a watercourse or water body. As a condition of development approval, the natural shoreline vegetation shall be preserved or re-established where vegetation has been removed within 30 metres of all significant watercourses and water bodies, wherever possible.

- 4.22.2 No development shall be permitted which would interfere with any natural watercourse or where the watercourse represents a hazard to the proposed development. Where development would result in a significant increase in stormwater run-off, the Municipality shall require the proponent to complete stormwater management works that will ensure that off-site surface water quality and quantity are not adversely impacted by the development. Direct discharges to surface waters should be avoided wherever possible.
- 4.22.3 Where development is proposed within 300 metres of a lake, the development shall be refused if the lake's assimilative capacity has already been exceeded or will be exceeded by all or part of the development proposal.

4.23 Urban Forestry

4.23.1 Site design and planning will consider the existing topography and the preservation and enhancement of vegetation, natural features and areas, open space, and naturalized areas. This includes:

- a) Ensuring that existing naturalized open space on lands proposed for development/redevelopment is retained to the maximum extent possible, and where retained, is allowed to regenerate with minimum intervention;
- b) Enhancing ecological stability by supporting the use of low-maintenance landscape features and materials;
- c) Supporting the use of native plant species when creating new plant communities or when adding to existing native plant communities;
- d) Applying development standards designed to maximize retention of all woodlots and other natural features and areas.

4.23.2 Where they remain, the tree-lined streets will be protected and where trees have to be removed, they will be replaced as part of the development process.

4.23.3 A program of tree planting, preservation, and landscaping will be undertaken so that all areas are provided with trees and other vegetation to maintain a high standard of amenity and appearance, with specific emphasis given to the designated Settlement Service Areas of Powassan and Trout Creek, at the time of infrastructure renewal and reinvestment.

4.23.4 In all public works, trees should be retained and when trees must be lost to accommodate the works, they will be replaced as soon as possible by other trees of sufficient maturity and in sufficient numbers to enhance the appearance of the public works.

4.23.5 Where development or redevelopment may necessitate the loss of existing trees or vegetative planting on a public right-of-way, they will be replaced and relocated on the public right-of-way in the immediate vicinity of the affected lands, to the satisfaction of the Municipality and at the cost of the proponent.

4.24 Waste Disposal Sites

4.24.1 New waste disposal sites or expansions to existing waste disposal sites should:

- a) avoid areas of high groundwater and water features;
- b) be at least 500 metres from any residential development;
- c) provide adequate buffers from existing development;
- d) require an amendment to this Plan;
- e) require an amendment to the Zoning By-law; and,
- f) be approved by the Ministry of the Environment.

4.25 Wetlands

4.25.1 Locally significant wetlands are shown on Schedule B. Wherever possible these areas should be left in their natural state. Where it can be demonstrated to the satisfaction of Council that there is no reasonable alternative for the logical development of lands, other than to develop a portion of a locally significant wetland, the Municipality may permit the development and may impose site plan control to ensure that the appropriate mitigation measures are employed to minimize the impact on the wetland.

4.25.2 Areas that are subject to flooding under regional flooding conditions or are covered with water during significant portions of the year shall be considered as Open Space Areas despite being otherwise designated on Schedule A. When lands within the Municipality are developed, additional Open Space Areas may be identified in the Zoning Bylaw without amending this Plan.

4.25.3 Prior to approving any development that is within 30 metres of a wetland feature, the proponent shall submit an Environmental Impact Assessment, prepared by a qualified biologist to the satisfaction of the Municipality and in consultation with the Ministry of Natural Resources. Any development permitted in these areas shall incorporate the recommendations of the Environmental Impact Assessment.

4.26 Wildlife Habitat

4.26.1 Development in the Deer Concentration Area and Wildlife Area identified on Schedule B must be sensitive to the impact of the development on habitat areas. The protection of natural links and corridors used for wildlife migration is encouraged. Within the Deer Concentration Area and Wildlife Area, the creation of new lots is discouraged.

4.26.2 Where any development is proposed within or adjacent to the Deer Concentration Area or Wildlife Areas, Council shall require the submission of an Environmental Impact Assessment Report prepared by a qualified biologist. This report should demonstrate that there will be no negative impacts on wildlife habitat or function from the development proposal. The recommendations of this report, if any, will be implemented through planning processes, including zoning, site plan control or conditions of land division approval. Where the report concludes that regardless of mitigative measures, the development will negatively impact wildlife habitat, the development proposal will not proceed.

4.26.3 Where new lots are created in critical deer wintering habitat, the lots shall be at least 1.0 hectare in size and have a minimum frontage of 90 metres. In addition, the lots shall have sufficient area to build a dwelling, septic system and driveway outside of dense conifer cover on the lot.

4.26.4 Where new development is proposed it shall have regard for and minimize impacts on animal migration routes through the use of best management practices, these may include:

- a) Elimination of fencing;
- b) Installation of wildlife-friendly fencing in areas where fencing is required;
- c) Installation of open bottom box tunnels or arch culverts where wildlife crossings may occur; and
- d) Elimination of excessive lighting.

4.27 Wildland Fire

4.27.1 The Provincial Policy Statement defines hazardous forest types for Wildland Fire as, forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ministry of Natural Resources and Forestry, as amended from time to time. Development may be permitted in lands with hazardous forest types where the risk is mitigated in accordance with Wildland Fire assessment and mitigation standards as identified by the Ministry of Natural Resources and Forestry.

4.27.2 Proponents submitting a planning application for lands that contain forested areas may be required to undertake a site review to assess for the risk of high to extreme wildland fire behavior on the subject lands and adjacent lands (to the extent possible). A general indication of hazardous forest types for Wildland Fire are identified on Schedule B of this Plan. If development is proceeding where high to extreme risk for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.

4.27.3 Wildland fire mitigation measures shall not be permitted in provincially significant wetlands and significant wetlands.

4.27.4 In order to implement any mitigation measures that may be required, site plan control may be required.

5.0 LAND USE DESIGNATIONS

Several land use designations have been established in order to achieve the objectives of this Plan. It is the intent of this Official Plan that all development within the Municipality occur in accordance with these land use policies. Schedule 'A' map the land use designations and should be read in conjunction with Schedules 'B', 'C' & 'D'.

5.1 URBAN SERVICE AREA

The Powassan Urban Service Area is the largest population centre in the Municipality, with a population of about 1,241 people. This represents a 7.6% decline in population from the 2016 census and source of concern from a municipal perspective. Rural-based communities require three interconnected baseline elements to thrive: sectors, workforce, and community/connectivity. Encouraging more housing development, tourism and economic development, and the provision of better physical and digital connectivity will encourage new growth.

This section of the Plan provides general policies to guide development in the area where full urban services are available, including opportunities for intensification and revitalization in areas that have sufficient existing or planned infrastructure. Policies here will also provide direction for staging development proposed adjacent to existing serviced areas within the defined Urban Service Area. More specific policies are found in the sections of the Plan dealing with Residential, Downtown, Business Park and Open Space designations.

5.1.1 Full Services

Development within the Urban Service Area will be developed on the basis of full municipal services. The Zoning Bylaw will specify a minimum lot size depending on the use.

5.1.2 Permitted Uses

A large range of residential, commercial, mixed and institutional uses shall be permitted in the Urban Service Area.

Institutional uses including Group homes, crisis centres, and homes for the aged are also permitted within the Urban Service Area. In considering these uses Council shall ensure that the primary residential character of any neighbourhood is maintained and that the impacts associated with a non-residential development are compatible with surrounding land uses.

5.1.3 Housing

A full range of housing types and tenures should be encouraged and developed in the Urban Service Area. While low-density is the standard, medium-density housing in the

form of semi-detached, duplex or townhouse dwellings should be encouraged and shall be located and designed in a way to have minimal impact on low-density housing. Increased setbacks and buffering will be required for higher density uses.

5.1.4 Lot Creation

The Urban Serviced Area will develop based on full municipal sewage and water services. In considering new development, Council shall be satisfied that there is sufficient capacity in the existing municipal system for the proposed development. New development should occur as infilling by consent or by Plan of Subdivision.

New lots shall only occur on roads that are municipally maintained year-round. Wherever possible roads and services should follow a grid system, which aligns with the original lot configuration of the Municipality. Additionally, a variety of pedestrian, active transportation and vehicular routes shall be provided.

- 5.1.5 The Glendale and Chiswick areas in the Powassan Urban Service Area have been identified and set aside for residential development, in anticipation of the further build-out of the Powassan Urban Service Area when the demand for new fully serviced urban development lots is realized. It is not anticipated that either of these two areas will be developed throughout the lifetime of this Plan, as opportunities for intensification and the existence of an abundance of vacant lots will more than adequately meet anticipated housing needs.

New development in either of these two areas should not take place until there is a demonstrated need within the municipality for additional lands for residential development. When the need has been determined, new development should take place in a comprehensive manner which considers traffic, stormwater management, and the efficient use of municipal and community services, among other matters. The development of compact urban forms will be encouraged.

Development will also proceed in a logical manner and may be phased if necessary. The inefficient and uneconomical extension of municipal services will be discouraged.

Existing uses in these areas are permitted to continue.

5.2 TROUT CREEK RURAL SETTLEMENT AREA

The Former Town of Trout Creek is a historic settlement node that has developed along Trout Creek and the railway line. This Plan encourages the revitalization of the community through infill residential development and commercial development that supports the community and surrounding seasonal and rural uses. The Trout Creek Rural Settlement Area is a priority area for development and will develop according to the following policies:

5.2.1 Permitted Uses

A large range of residential, commercial, mixed, light industrial, institutional, and open space uses shall be permitted in the Trout Creek Rural Settlement Area.

5.2.2 Servicing

The Trout Creek Rural Settlement Area will develop based on private sewage and water services. In considering applications to permit new uses, Council shall be satisfied that the proposed use will not adversely affect adjacent private sewage or water systems.

Where five or more lots are proposed to be created, the application for land division shall be accompanied by a Servicing Options Report which describes the feasibility of using either communal sewage and water services or private sewage and water services. Should it be feasible to use communal services, the development should be considered on the basis of that form of servicing and subject to an amendment to this Official Plan.

New development shall only occur on roads that are municipally maintained year-round.

Areas where extraction has occurred within the Trout Creek Rural Settlement Area will be rehabilitated as a condition of redevelopment.

5.2.3 Lot Creation

Residential development shall occur primarily as infilling by consent or Plan of Subdivision within the rural settlement area of Trout Creek. While lot sizes are encouraged to be **compatible and complementary** with the size of surrounding existing lots, lots which propose to use on-site services must be sufficiently sized to minimize the potential for both on and off-site contamination from weeping bed infiltration. To determine the appropriate size for development lots, hydrogeological investigations will be necessary for new lots being created through the consent or subdivision processes. In some cases, it may be necessary to merge existing lots of record to achieve the necessary minimum sizes for new development proposals. Where new development is proposed, the Zoning Bylaw will need to be amended to establish appropriate minimum lot sizes based on the findings of hydrogeological investigations. Hydrogeological investigations will be carried out by qualified professionals and may be subject to peer review as determined by the approval authority, with any additional costs borne by the developer.

5.3 RESIDENTIAL

The Powassan Residential Area and Trout Creek Residential Area are intended to provide for stable residential development, which will encourage continuous improvements in property standards and housing conditions. This Plan encourages the maintenance and enhancement of the Residential Areas while providing for growth that is compatible with the existing residential development.

5.3.1 Permitted Uses

A mix of residential uses is encouraged within the residential area in both the urban serviced and settlement areas. A range of housing types and tenures should be developed to meet the needs of present and future inhabitants while being compatible in scale and density with the existing residential uses.

5.3.2 Housing Form

5.3.3 New housing should reflect a range of housing sizes, including smaller affordable secondary units that would be suitable for seniors and smaller families. Where smaller forms of housing **and/or** smaller lots occurs adjacent to older housing on larger lots, the new development should be designed and landscape to be compatible with the character of the surrounding neighbourhood.

5.3.4 In considering applications to permit multi-unit residential development, Council shall be satisfied that the proposed density is compatible with existing residential uses and will not adversely affect adjacent private sewage or water systems.

5.3.5 Non-Compatible Uses

The Zoning Bylaw will identify appropriate setbacks between sensitive uses and existing non-compatible uses. Mitigation measures such as setbacks, fences and landscaping may be required to minimize impacts. The Bylaw will also establish lot size requirements and identify separate zones for low and medium-density residential development.

5.3.6 Servicing

In keeping with Policy Sections 4.18 and 5.1.1, prior to approving new residential uses, Council shall be satisfied that the development can be adequately serviced with septic, water, fire protection and utilities. Provisions for stormwater management shall be provided on-site to ensure that the predevelopment run-off rates are maintained or improved. Council shall also be satisfied that there is safe access to the development area for existing and future traffic.

5.3.7 Home Based Businesses

Small-scale home-based businesses will be permitted in the Residential Areas but will be limited in size to avoid conflicts with adjacent land uses. The Zoning Bylaw will specify standards for home-based businesses.

5.4 DOWNTOWN DESIGNATION

The downtowns of Powassan and Trout Creek provide important services to the residents of the municipality. As such, the downtown should focus on developing new opportunities for commercial retail development with residential apartments on upper levels while supporting existing institutional, medical, business, retail services and facilities. This Plan encourages the maintenance and enhancement of the Downtown while providing for change and adaptation to the changing demands.

5.4.1 Permitted Uses

A wide range of commercial, institutional, residential and mixed uses shall be encouraged within the Downtown Designation. These uses can occur as a single use in a single building or as mixed uses within a building.

All scales of commercial uses that service the Community are encouraged to locate in the Downtown designation. New commercial uses may be established through the redevelopment of existing residential uses.

Commercial uses should develop on the ground level. Residential uses, including special need uses and multi-unit residences will be encouraged to be located on the upper floors or **at the rear of the property** provided that adequate access and parking can be provided.

5.4.2 Façade Treatment

New buildings and buildings undergoing significant renovations should be designed in harmony with each other in order to develop an attractive commercial area. The use of natural exterior materials such as wood and stone will be encouraged. The Zoning Bylaw will provide reduced requirements for parking in the Downtown Areas. Wherever possible adjacent parking areas should be joined internally. Facilities for safe and convenient pedestrian access shall also be provided.

5.5 HIGHWAY COMMERCIAL DESIGNATION

The Highway Commercial Designation provides lands for the development of commercial uses that cater primarily to tourists and the traveling public.

5.5.1 Permitted Uses

Permitted uses in this area include gas stations, automotive and marine-related sales and services, food services and accommodation facilities. Infilling of these uses within the Highway Commercial Designation is encouraged. Limited light industrial development that is compatible with commercial uses shall also be permitted.

These uses shall provide access and parking areas suited to accommodate a large seasonal population and shall be designed as an attractive entrance feature to the Downtown Areas.

Accessory residential uses, small-scale commercial uses and business uses related to professional or personal services will be encouraged to be located in the Residential and Downtown areas rather than in the Highway Commercial Designation.

5.5.2 Servicing

In the Powassan Urban Service Area, new development within the Highway Commercial Designation shall be on the basis of full municipal services.

Outside of the Powassan Urban Service Area, applications for new development proposals will be in keeping with Section 4.18 of this Plan. Where new development will likely generate more than 10,000 litres of wastewater per day, the application will be supported by a servicing options report and hydrogeological investigation, prepared by a qualified professional, to determine the most appropriate form of sewage disposal and appropriate lot size for the development.

Where private services are determined to be appropriate for new uses outside of the

Powassan Urban Service Area, the approval authority shall ensure that lots are sufficiently sized to minimize the potential for both on-and off-site contamination from sewage disposal run-off.

5.5.3 Access

Commercial uses shall have internal links between parking areas wherever possible. As development occurs in the Highway Commercial designation, provision should be made for the development of a service road parallel to Highway 11.

5.5.4 Site Plan Approval

When considering applications for development Council will review signage, landscaping, lighting and building massing as part of the Site Plan Approval process.

5.6 BUSINESS PARK

The Business Park Designation includes lands for large-scale commercial and industrial development. Future economic development opportunities in the Municipality will be focused in this area.

5.6.1 Permitted Uses

Permitted uses in the Business Park Area include building contractor's yards, lumber yards, auto repair shops, transport terminals, processing, and fabrication plants. Small-scale retail uses shall be permitted to provide retail outlets for goods produced on-site. Commercial uses in the Business Park Area may also include restaurants and service-related commercial uses and large-scale commercial uses that rely on tourist traffic and highway access or provide goods and services to the travelling public and population at a regional scale.

5.6.2 Servicing

Within the Powassan Urban Service Area, all uses shall be on municipal sewage and water services.

Due to servicing constraints in the Trout Creek Rural Settlement Area, applications for new development proposals will be in keeping with Section 4.18 of this Plan. New industrial development will be limited to dry industrial uses only. Dry industrial uses are those industrial uses which do not use water for processing, and which generate only wastewater from employee uses on site.

Where private services are determined to be appropriate for new uses in the Trout Creek Rural Settlement Area, the approval authority shall ensure that lots are sufficiently sized to minimize the potential for both on- and off-site contamination from sewage disposal run-off.

5.6.3 Stormwater Management

Where development would result in a significant increase in stormwater run-off, the Municipality shall require the proponent to complete stormwater management studies and works that will ensure that off-site surface water quality and quantity is not

adversely impacted by the development.

5.6.4 Access

Adjacent uses shall have interconnected parking and loading areas located at the rear of buildings. Access onto Provincial highways must meet the requirements of the Ministry of Transportation.

5.6.5 Compatible Uses

All new uses in the Business Park designation will be considered in keeping with Section 4.15.3 of this Plan. Further, industrial uses shall screen areas of open storage from view and shall be compatible with adjacent land uses. This may require site plan control agreements with the Municipality.

5.7 PRIME AGRICULTURAL AREA

The Prime Agricultural Land designation includes lands that are identified as Class 1-3 under the Canada Land Inventory. The Municipality contains primarily Class 3 soils which have moderately severe limitations but are fair to moderately high in productivity for a wide range of common crops and is a foundational element to local agricultural systems.

5.7.1 Permitted Uses

Permitted uses in the Prime Agricultural Area include: agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation (MDS) formulae.

5.7.2 Development within Prime Agricultural Areas

When considering development proposals in the vicinity of agricultural uses, the Minimum Distance Separation formulae as developed by the Province will be used. The Zoning Bylaw will implement the Minimum Distance Separation requirements.

Non-agricultural development of Agricultural lands shall only occur where the following criteria have been satisfied through the submission of an Agricultural Impact Assessment, submitted by a qualified consultant:

- i) the lands do not contain farm buildings that are in good condition;
- ii) new dwellings and non-agricultural development comply with the Minimum Distance Separation Formulae;

- iii) the development will not adversely affect neighbouring farming operations; and,
- iv) the least productive portion of the lands are proposed for development.

5.7.3 Servicing

New residential lots will be of a size which is appropriate to sustain private sewage and water systems which will have no on- or off-site impacts. To determine the appropriate size for development lots, hydrogeological investigations may be necessary to demonstrate the appropriateness of the development proposal. Outside of existing residential clusters, hydrogeological investigations will be required for new lots which are proposed to be smaller than 1 hectare. Hydrogeological investigations will be carried out by qualified professionals and may be subject to peer review as determined by the approval authority, with any additional costs borne by the developer.

5.7.4 New Lots

- i) New lots developed for residential purposes will be limited as follows:
 - a) A principal dwelling associated with an agricultural operation may be permitted in prime agricultural areas as an agricultural use.
 - b) Subordinate to the principal dwelling, up to two additional residential units may be permitted in prime agricultural areas, provided that;
 - Any additional residential units are within, attached to, or in close proximity to the principal dwelling;
 - Any additional residential unit complies with the Minimum Distance Separation formulae;
 - Any additional residential unit is compatible with, and would not hinder, surrounding agricultural operations; and
 - Appropriate sewage and water services will be provided.

5.7.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Council may only permit non-agricultural uses in prime agricultural areas for:
 - a) extraction of minerals, petroleum resources and mineral aggregate resources; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the proposed use complies with the minimum distance separation formulae;
 2. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid prime agricultural areas; and

ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

2. Impacts from any new or expanding non-agricultural uses on surrounding agricultural lands and operations are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance.

5.8 RURAL AREA

Rural Areas include a variety of residential, industrial and open space uses. Over the lifetime of this Plan, the Rural Area will experience some growth and maintain its natural environment and rural character.

5.8.1 Permitted Uses

Permitted uses in the Rural Areas include low-density residential and accessory residential uses, tourist establishments, open space, resource management activities and agricultural uses. Small-scale commercial and dry industrial uses servicing the rural community shall be permitted, provided that those uses are in keeping with Section 4.17.1 of this Plan and are compatible with surrounding uses. Resource extraction, pits and quarries, may be permitted on prime agricultural lands provided that the site is rehabilitated, and the soil quality is restored.

5.8.2 Servicing

New residential lots will be of a size which is appropriate to sustain private sewage and water systems which will have no on- or off-site impacts. To determine the appropriate size for development lots, hydrogeological investigations may be necessary to demonstrate the appropriateness of the development proposal. Outside of existing residential clusters, hydrogeological investigations will be required for new lots which are proposed to be smaller than 1 hectare. Hydrogeological investigations will be carried out by qualified professionals and may be subject to peer review as determined by the approval authority, with any additional costs borne by the developer.

Small-scale commercial and dry industrial uses will be limited to uses which do not use process water in industrial processes and which generate only wastewater from employee uses on site.

5.8.3 Lot Creation / Severances

- i) Lot creation by severance/consent is permitted in the Rural Area, in accordance with the applicable general development policies in Section 4 and the land division policies in Section 8 of this Plan.
- ii) Seasonal residential uses fronting on the lakes in the Municipality is permitted subject to satisfying the applicable general development policies in Section 4 and the land division policies in Section 8 of this Plan.

5.9 OPEN SPACE DESIGNATION

Lands within the Open Space Designation are those lands in the Municipality with recreational capabilities, significant natural feature values and areas that are not physically suited for development. These lands include wetlands, steep slopes, wildlife and fish habitat, organic soils, flood plains or earth science areas. These areas are identified on Schedule B. The Open Space designation also includes recreational lands and community facilities.

5.9.1 Permitted Uses

Permitted uses in the Open Space Designation include conservation, forestry, wildlife areas, fishery resource management, existing agricultural activities, parks, snowmobile trails, hiking trails and other passive recreation, and resource management activities that do not require alteration to the existing land or vegetation.

5.9.2 Alternative Lands

There is sufficient land designated for development in the Municipality of Powassan without requiring environmentally sensitive lands to be altered from their present state. Any proposal to develop lands identified on Schedule B as having natural feature values or as an area not physically suited for development shall require justification based on land use requirements, location requirements and environmental impact.

No buildings or structures shall be permitted in any area Open Space designation. An exception to this may occur where such buildings, structures or fill are to be used in flood or erosion control and have been approved by Council. Development shall generally be prohibited in these areas without an amendment to this Plan. Development of lands having existing recreational facilities may be permitted without amendment to this Plan.

5.9.3 Trail System

Council will encourage the development of a contiguous parkland and trail system through the Municipality.

5.9.4 Non-Conforming Uses

The expansion of existing non-conforming uses located within areas designated, as Open Space shall generally not be permitted. However, Council may consider allowing the expansion or replacement of buildings or structures if it is demonstrated that this would not result in adverse environmental impacts. In such circumstances, Council may require an Environmental Impact Assessment prepared by a qualified biologist recommending mitigation measures to be undertaken to preclude adverse environmental impacts.

5.9.5 Mapping

Where there is doubt that the Open Space mapping on Schedule A and environmental features mapping on Schedule B adequately reflects the hazard or environmental

feature, an applicant for new development may be required to obtain a detailed engineering or environmental study to more accurately determine the extent of the area. Such a study must be acceptable to Council. Where such studies result in changes to the mapping, an Official Plan Amendment may not be required.

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6.0 MUNICIPAL SERVICES

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.

- 6.1 It is the intent of this Plan to maintain the current level of service. It is a policy of this Plan to provide adequate servicing while recognizing the Municipality's financial constraints.
- 6.2 Development will be encouraged to make efficient use of the water and sewage treatment systems in the Urban Service Area.
- 6.3 Development based on communal services will require an amendment to this Plan. Such an amendment shall be supported by engineering and economic studies that satisfy Council that the costs and of communal services can be supported by the development utilizing the services and that potential municipal liabilities have been adequately assessed.
- 6.4 Development shall not be permitted where there is a potential for that development to adversely impact private wells or the municipal water supply. In considering any development proposal, Council may require the proponent to provide confirmation that the development will not adversely affect neighbouring wells.
- 6.5 Private individual septic tank and tile field systems are the primary means of sewage disposal outside the Urban Service Area.
- 6.6 Any development proposed within 500 metres of an existing or former solid waste disposal site or contaminated site shall only be permitted after the proponent has satisfied the Municipality that there have been no adverse impacts from the site on the lands and groundwater that would be utilized for the proposed development.
- 6.7 The Municipality will monitor the impact of future development in Trout Creek on the sustainability of the ground water supply in that community. Care will be taken to ensure that municipal services are not required to ensure that the water supply is potable and continues to be available to existing residents and businesses.

7.0 TRANSPORTATION & UTILITIES

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.

7.1 General

7.1.1 The transportation system is an essential part of the Town of Powassan's overall structure and has a direct influence on the quality of life in the Municipality. A range of choices in the transportation system is required to balance the needs of users, promote less automobile use and enhance connections. The transportation system allows for the movement of people and goods including public transit, streets, rail, sidewalks, linkages, trails and pedestrian and cycling infrastructure. It is the policy of the Council that:

7.1.2.1 The Municipality shall promote a safe, balanced, efficient, accessible and well-connected transportation system in accordance with the Transportation System as shown in Schedule A.

7.1.2.2 The following mobility hierarchy shall be supported:

a) Walking;

b) Cycling;

c) Goods movement;

d) Vehicles

e) The hierarchy in (a) shall be applied to the planning, design and construction of transportation infrastructure, development and implementation of policies, programs and initiatives, and through the approval of development.

7.1.2 The Municipality's transportation planning efforts shall be coordinated with Provincial priorities.

7.2 Provincial Highways

7.2.1 New land uses and access onto any Provincial Highway will require approval from the Ministry of Transportation and will be subject to the Ministry's geometric standards and minimum spacing requirements for entry permits.

7.2.2 Highway 11 is a Controlled access highway, as such no proposed new land uses are not permitted to access this road.

7.2.3 Proposed new land uses, development, signage installation and entrances located adjacent to Highway 11 may require a Ministry of Transportation Land Use Permit.

7.3 Municipal Roads

Schedule B shows roads that are maintained on a permanent or seasonal basis. It is not a policy of Council to maintain those roads that are not presently maintained municipal roads, nor will they be assumed by the Municipality.

Where the Municipality maintains roadways on a seasonal basis, only uses which are occupied during the season on which the municipal road is maintained will be permitted.

Hunt camps and fishing camps may be used where the access is over an unmaintained road allowance. Council may permit this form of development where the owner enters into an agreement and acknowledges that the municipality assumes no liability to provide services to the development.

The Municipality will not expand the level of service on any municipal road unless the development resulting from that increased level of service off-sets the cost of increasing the service level or provides a public benefit such as improved emergency service delivery.

New permanent development shall only be permitted where there is frontage and adequate access onto a year-round maintained municipal roadway.

7.4 Local Roads

Local roads shall be constructed on a 20-metre road allowance. These roads should be logical extensions of existing streets and wherever possible, utilize a grid design.

Where an existing road does not have a 20-metre right-of-way, the Municipality may acquire lands adjacent to the roadway to provide for a wider right-of-way as a condition of consent, plan of subdivision or site plan approval.

Where development is proposed on a roadway that is not currently built to municipal standards, the Municipality will require the roadway to be improved to a standard approved by Council, as a condition of development approval. Development will only occur if the roadway has already been assumed by the Municipality or will be assumed by the Municipality prior to the finalization of the development proposal. Development where access is proposed on roads which are not municipally owned and maintained shall not be permitted.

7.5 Multi-use Recreational Trails

Recreational trails, including snowmobile routes, form an important component of the Municipality's transportation system. The location of these routes may change from time to time. The Municipality will encourage the preservation and expansion of routes and trails into a broader network.

7.6 Rail Lines

The Municipality will encourage the continued use of rail lines. Rail lines are shown on Schedule A. When considering applications for development, Council shall ensure that

future development does not impede the continued viability of the rail line. Development that requires the construction of a rail crossing or increases the quantity of traffic over the rail line will be considered having regard for the safety of the crossing. As a condition of development approval, Council may require a rail crossing to be funded by the developer.

Outside of the Powassan Urban Service Area and the Trout Creek Rural Settlement Area, development in proximity to rail lines will be in keeping with policies found in Section 4.14.7 of this Plan.

Development proposals within 75 metres of rail lines throughout the Municipality may be required to undertake vibration studies to the satisfaction of the Municipality in consultation with the appropriate railway. Mitigative measures identified in the vibration study will be implemented through conditions of development approval.

All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway.

7.7 Utility Corridors

All development in the Municipality shall recognize the importance of the high-pressure natural gas pipelines and hydro transmission lines identified on Schedules A, C & D to this Plan. Any development within 200 metres of a utility corridor may affect the safety and integrity of the line. The Municipality shall require early consultation with TransCanada for any development proposed within 200 metres of a gas pipeline.

A setback of 10 metres shall be maintained from the limits of the utility right-of-way for all permanent structures and excavations. In the case of a natural gas pipeline, a reduction in the 10 metre setback will only be considered if it can be demonstrated to the satisfaction of the pipeline corporation, that it will not compromise the safety and integrity of the pipeline and if all necessary municipal approvals are obtained.

Activities on or within 30 metres of the TransCanada pipeline such as excavations, blastings and any movement of heavy equipment requires approval from the National Energy Board.

Within the Urban Service Area and the Trout Creek Residential Area, 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.

7.8 Communication Towers

While recognizing the authority of the Federal government with respect to communication facilities, Council will require public consultation and consideration of the visual impacts of communication towers prior to such facilities being located in the Municipality. Communication towers should avoid locations that are visually prominent or that have historic or cultural significance.

8.0 LAND DIVISION

8.1 Severances

Applications for land division through the consent process shall only be considered if the proposal is minor in nature, does not result in the unnecessary expansion of the present level of municipal services and follows the Objectives and General Development policies of this Plan.

8.1.1 Criteria

Every severance application received by Council and Planning Board for the purpose of creating a new lot shall meet the following applicable criteria:

- i) To avoid fragmented land patterns, a maximum of three lots (including the retained lot) may be created by consent from any land holding, subject to the applicable policies of this Plan.
- ii) The creation of lots may be permitted by severance (consent) if it has been established that the development would not more appropriately proceed by way of plan of subdivision or plan of condominium.
- iii) New residential development created by severance (consent) is encouraged to locate in areas designated for growth, including the Urban Service and Rural Settlement Area.
- iv) Lot creation by severance is permitted in the Rural Zone, in accordance with the applicable policies of this Plan.
- v) Consents are permitted in Agricultural Areas for farm consolidation purposes, but must be in accordance with the policies of this Plan.
- vi) Severances (consents) that would contribute to ribbon or strip development or unplanned or uneconomical extension of infrastructure between Settlement Areas shall not be approved.
- vii) Applications for severances (consent) that would result in a parcel being landlocked shall not be approved.
- viii) The creation of lots may be permitted by severance (consent) if the proposed and retained lots:
 - a. Front onto an open, improved public road that is maintained on a year-round basis by the Municipality, unless a recreational property fronting onto a lake can be accessed via a local road leading to a public road that is maintained year-round;
 - b. If the intent and purpose of this plan is maintained;

- c. Satisfy the minimum lot area requirements established for any land use/land use designation of this Plan, and in accordance with the Zoning By-law;
 - d. Achieve an appropriate lot configuration that is compatible with the surrounding community character and does not restrict the development of other parcels of land;
 - e. Can be serviced by the Municipality's infrastructure without adversely affecting the Municipality's finances, or by private well and wastewater disposal system where municipal services are not planned or existing; and
 - f. Can be supplied with other municipal services such as fire protection and road maintenance, without adversely affecting the Municipality's finances.
- ix) The Municipality shall consider the impact of a new residential lot created by severance (consent) on the potential to expand the agricultural productivity of any adjacent agricultural lands when assessing the required Minimum Distance Separation (MDS) Formulae and the need to potentially increase it.
- x) Applicants of a proposed severance (consent) may be required to prepare studies in accordance with the requirements of this Plan to assess the impacts of the proposal and any mitigation strategies.
- xi) The Municipality may require as a condition of approval that an applicant enter into an agreement with the Municipality regarding such conditions as it deems appropriate, including but not limited to financial requirements, the provision of on and off-site services, strategies to mitigate environmental impacts, sustainable building and site design features, and any other site planning requirements to protect health and safety, and promote compatibility with the surrounding community character.
- xii) Lots for hunt camps, fishing camps or similar uses may be permitted in keeping with policies 7.3 and 7.4 of this Plan;

8.1.2 Technical Consents

Notwithstanding the policies of this section, consents may be granted for the following technical purposes, provided that the retained and severed portions conform with the Zoning By-law:

- i) boundary corrections or adjustments;
- ii) lot enlargements;
- iii) re-creation of original 40 ha (100 acre lots)
- iv) discharge of mortgage;
- v) road widening and road allowances; and
- vi) easements.

8.1.3 Aggregate Areas

Land division applications proposed for uses other than mineral extraction in and adjacent to areas identified as Bedrock Resources and/or Primary Sand and Gravel Resources shall be in keeping with Section 4.1.1 of this Plan.

8.1.4 Open Space Areas and Hazard Lands

Consents shall not be permitted in areas designated as Open Space or in any area that could be unsafe as a result of naturally occurring or man-made hazards.

Consent may be granted for the creation of a lot that encompasses lands designated Open Space, provided that there are sufficient lands not designated Open Space for the purpose for which the lot is being proposed.

8.2 Subdivisions and Condominiums

8.2.1 Where four or more lots or units in a vacant land condominium are created on a single parcel of land, a plan of Subdivision or Vacant Land Condominium shall generally be required. Exceptions to this policy may be considered where there are no residual lands resulting from the development, and there is no need to extend municipal services and/or build or extend a municipal road.

8.2.2 In considering a proposed plan of subdivision or vacant land condominium, Council shall ensure that all costs associated with the development of the land are borne by the developer.

8.2.3 All roads within a plan of subdivision shall be constructed to Municipal standard and shall be dedicated to the Municipality. Subdivisions for permanent residential purposes within the **Powassan Urban Service Area and Trout Creek Urban Area** shall have hard surfaces. Road standards for land-based condominium developments may be less than those required for municipal roads.

8.2.4 Prior to considering a plan of subdivision or condominium, the appropriate approval authority shall require the applicant to submit professional reports addressing the Development Criteria in Section 4 of this Plan.

8.3 Parkland Dedication

8.3.1 The minimum parkland dedication as part of a plan of subdivision or consent shall not include lands which are unsuitable for parkland development.

8.3.2 Where possible, parkland shall be taken on lands adjacent to a watercourse or existing recreational features such as trails or facilities.

8.3.3 Where the Municipality takes cash in lieu of parkland, the Municipality shall base the amount of cash taken on 5 per cent of the value of the land immediately prior to draft plan approval. Alternatively, the Municipality may pass a By-law to establish standard parkland dedication fees that represent a reasonable estimate of 5 per cent of the value of certain lands prior to the date of draft approval.

9.0 COMMUNITY IMPROVEMENT

9.1 Community Improvement Policies

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 support and stimulate growth in local industries, businesses, tourism, agri-tourism and value-added agricultural facilities in both the urban and rural areas of the Township. These policies provide a basis for the Municipality to enter into agreements with the private and public sectors to create partnerships for the enhancement of the community.

The policies in this section are a long-term approach to the revitalization of the Municipality of Powassan. Revitalization will take time, and is best accomplished through incremental, small improvements and interventions that will collectively add up to more significant changes over time.

9.2 Community Improvement Areas

The approach is to provide the Municipality of Powassan with the tools to create both an Urban and Rural CIP to operationalize additional tools available under the Planning Act to assist with community redevelopment.

9.3 Community Improvement Projects

Community Improvement projects shall include but not be limited to:

- i) Enhance and promote local businesses within settlement areas:
 - a) Promote upgrades to business signage and commercial building facades to enhance the overall streetscape.
 - b) Promote upgrades to and reuse of underutilized buildings within the Urban Areas;
 - c) Promote the development of roofed accommodation (i.e. bed and breakfasts) in Powassan's Urban Settlement Areas to provide accommodation for local tourists.
 - d) Promote the development of affordable housing within the Municipality.
- ii) Promote agricultural diversification tourism and local recreation:
 - a) Encourage the development and enhancement of value-added agricultural uses, agri-tourism and on-farm diversified facilities, such as roofed accommodation (i.e. bed and breakfasts), as permitted in the Official Plan.
 - b) Continue to promote local festivals and events in Powassan.
 - c) Promote active recreation and the continued development of the trail network within the municipality.
- iii) Encourage job creation and local employment:

- a) Promote the use of local resources and materials for improvements.
 - b) Encourage redevelopment or adaptive reuse of under-utilized employment areas and buildings.
 - c) Promote Powassan as a community to live, work and play.
- iv) Enhance and promote community character and local heritage:
- a) Encourage redevelopment or adaptive reuse of older buildings in a manner that contributes to the community character.
 - b) Support the revitalization of historical buildings and sites.
 - c) Identify and promote Powassan's identity and unique community offerings.
- v) Engage the landowners and stakeholders, and the local community in the revitalization of Powassan:
- a) Encourage continued involvement by the local Business Improvement Association (BIA)
 - b) Encourage investment in privately owned property that will enhance the public realm.
 - c) Encourage residents, business owners and service groups to participate in tree planting and street beautification programs and improvements to private buildings and properties.
 - d) Encourage involvement by the Regional partners and other public agencies.
- vi) Improve local infrastructure to support community revitalization:
- a) Improvements to sidewalks and road surfaces to enable safe and comfortable travel by pedestrians, bicycles and vehicles; and
 - b) Improvements to the water system to provide for sufficient fire flows;

9.4 Community Improvement Incentives

In order to encourage improvements to private and public lands, the Municipality may offer the following incentives to private landowners:

- i) reduction or elimination of planning or building application fees;
- ii) increased densities for residential development;
- iii) providing specific grants to property owners to improve the appearance of private lands and buildings.
- iv) Providing specific grants to property owners to create development opportunities that combine commercial and affordable (apartment) housing.

Specific incentives will be approved by a Community Improvement Plan adopted by the Council.

10.0 IMPLEMENTATION

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

10.1 AMENDMENTS TO THE PLAN

An amendment to any and all Schedules or 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 all Schedules with a view of designating additional areas for a particular use or changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have regard to the following criteria:

- i) the need for the proposed use;
- ii) the extent to which the existing areas which are designated for the use are developed, and the nature and adequacy of such existing development;
- iii) the physical suitability of the lands for such proposed use;
- iv) the comments of any affected agency that has been consulted with respect to the application; and
- v) the location of the areas under consideration with respect to:
- vi) the adequacy of the existing and proposed roadway system;
- vii) the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
the adequacy of the 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 Council shall request from the developer and subject to the approval of the Ministry of the Environment and Energy, the Medical Officer of Health and any other appropriate authority deemed advisable;
- viii) the compatibility of such proposed use with uses in the surrounding area;
- ix) the potential effect of the proposed use on the financial position of the Municipality; and
- x) the impact of the proposed use on the natural environment.

10.2 STRATEGIES FOR ADAPTING TO CLIMAGE CHANGE

10.2.1 In response to climate change, the Municipality shall consider identifying adaptation and mitigation measures through the development and implementation of a Climate Change Action Plan aimed at improving municipal resilience to changing environmental stresses.

10.2.2 The Municipality shall endeavor to engage in public education regarding the minimization of greenhouse gas emissions, improving air quality and conservation of water, soil and energy.

10.2.3 In preparing planning applications for Draft Plan of Subdivision/Condominium approval and Site Plan Control, applicants are to incorporate climate change measures where appropriate, including but not limited to:

- i) Selection of building and infrastructure materials that minimize waste;
- ii) Energy and water conservation designs;
- iii) Appropriate street, lot and building orientation to the south to realize solar energy gain;
- iv) Use of green infrastructure and tree planting;
- v) Compact and contiguous built urban form;
- vi) Designs for active transportation and the efficient co-location of live/work/play land uses; and
- vii) Application of intelligent building systems.

10.2.4 Climate change polices constitute part of the Municipality's sustainability planning efforts.

10.3 PUBLIC MEETINGS

Council shall hold public meetings for planning applications in accordance with the requirements of the Planning Act. However, technical amendments to this Official Plan are permitted without a public process to:

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

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- viii) rewords policies or re-illustrates mapping for the purpose of clarification only without changing the intent or purpose of the policies or mapping.

10.5 SITE PLAN CONTROL

The Municipality may utilize Site Plan Control to ensure that development in the Municipality is attractive and compatible with adjacent uses and the environment. Site Plan Control may be applied to all commercial, mineral resource extractive and

industrial development in the Municipality. The entire Municipality shall be designated as a Site Plan Control Area.

Where residential development is proposed within or adjacent to the deer concentration area, wilderness reserve, waterbody or adjacent to an identified natural heritage feature such as a wetland or significant habitat area, Council may use site plan control to ensure that the development proceeds in a manner that would have the least impact possible on these natural features.

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.

10.6 TECHNICAL REPORTS

Where this Plan requires that technical reports be completed in support of any development proposal, those reports shall be completed by a qualified professional approved by the Municipality. The Municipality may retain independent experts to peer review technical reports submitted in support of any application. The costs of a peer review shall be paid by the developer.

10.7 ZONING BY-LAW

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

10.7.1 Non-Conforming Uses

Legally existing uses that do not comply with the Land Use designations outlined in this Plan may be zoned to permit the continuation of the use and may provide for limited expansion provided that the development policies of this Plan are met.

Where a non-conforming use changes, the new use shall be in keeping with the intent of this Plan.

10.7.2 Temporary Uses

Council may pass a Bylaw pursuant to 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 provided that:

- i) The objectives of this Plan are met;
- ii) The temporary use does not require major capital investment or alteration to the existing landscape;
- iii) The proposed use is compatible with surrounding land uses;
- iv) The proposed use does not require the extension of municipal services;
- v) The developer has entered into an agreement with the Municipality specifying The conditions under which the use may be permitted; and,
- vi) The Bylaw shall specify a maximum time period for which the use may be permitted.

Council may also pass a Bylaw to allow the temporary use of lands for a garden suite or accessory apartment where the owner enters into an agreement with the Municipality to ensure that the use is temporary, portable and that the servicing can be accommodated on the lot.

10.7.3 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:

- i) a Site Plan Agreement or Subdivision Agreement as may be required has been completed between the Municipality and the developer;
- ii) all engineering plans and approvals for sewage and water services have been completed;
- iii) other technical reports (e.g. environmental assessment, floodplain study, etc.) are submitted by a qualified consultant, to the satisfaction of the Municipality;
- iv) the financial requirements of the Municipality have been satisfied; and
- v) a record of site conditions has been completed to the satisfaction of the Ministry of Environment.

11.0 INTERPRETATION

11.1 LAND USE DESIGNATIONS

It is intended that the boundaries of the Land Use categories shown on Schedule 'A', 'C' or 'D' 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.

11.2 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.

11.3 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.

11.4 NUMERICAL VALUES

Where numerical quantities are identified in this Plan, such quantities shall be interpreted as guidelines and minor variances to specific requirements may be permitted provided that the intent of the Plan is maintained, unless the Plan states otherwise.



P.O. Box 382
North Bay, ON P1B 8H5
705.497.5555 Ext. 507
admin@nearnorthcrimestoppers.com

November 21, 2023

Dear Mayor McIsaac and Councillors,

Every January, **Crime Stoppers Month** is recognized around the world for the organization's impact on its communities. Our mission is to STOP, SOLVE, AND PREVENT CRIME-TOGETHER!

Near North Crime Stoppers (NNCS), which serves the Districts of Nipissing and Parry Sound is a registered charitable program that enhances community safety across the region. Despite all the modern technology available to law enforcement agencies, one of the most cost-effective and successful methods to prevent or solve crime is when someone anonymously reports a TIP to Crime Stoppers through the TIPLINE or the website. We do not subscribe to any call tracing technology, so tips remain confidential and are passed on to the appropriate law enforcement agency.

To date, NNCS has received 22,468 calls from tipsters, contributing to the arrest of 1,786 individuals, and over \$4.3 million in property and cash having been recovered. Nearly \$58 million in drugs, destined for our communities, have been seized because of Crime Stoppers anonymous, valuable information.

The success of Crime Stoppers rests heavily on community engagement through awareness and support of many partners, with municipalities being key stakeholders. Recognizing and supporting Crime Stoppers helps municipalities to support their local **Community Safety and Well Being Plans** plan.

We are asking your council to **pass a resolution recognizing January 2024 as Crime Stoppers Month**, and post/share messaging on your social media sites and electronic boards in your community. You can keep an eye on <https://www.facebook.com/NearNorthCrimeStoppers> , our website <https://nearnorthcrimestoppers.com>

If your council agrees to proclaim January as Crime Stoppers month, please contact us so that we can recognize your municipality on our social media platforms. If you would like to learn more about our program, we would be happy to present information upon request. Thank you for your continued support.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Fenton".

Brandon Fenton
Chair

A handwritten signature in black ink, appearing to read "Mary Houghton".

Mary Houghton
Executive Secretary



RECEIVED

The Municipality of Powassan

Dear Business Owner

I am writing to you on behalf of the Powassan Lions Club. Every year the Powassan Lions Club distributes Christmas Baskets to needy families in the Powassan, Nipissing and Chisholm area.

These hampers consist of a turkey, a Grocery Gift Card to purchase additional items for Christmas dinner and a gift/toy for any children in the household.

Our Lions Club holds several fundraisers (Pancake Breakfasts, Fish Fry, 50/50 Raffle) throughout the year to assist with this and many other projects within our Community. In the past we have relied on the Lions Christmas Telethon to supply the funds for the turkeys and a toy for the children, however we no longer participate in the Telethon.

We are looking for assistance from the community for the funds to help these needy families. Any monetary donation you may be willing to give, be it \$10 or \$100, would be greatly appreciated.

You can make your donation via E-transfer to powassanlionsclub@live.ca or by cheque made out to the Powassan Lions Club and mailed to:

Powassan Lions Club
Box 597
Powassan Ontario
POH 1Z0

If you have any questions, please feel free to contact me at 705-724-5642

Thank you for your consideration

Paul Oshell
Powassan Lions Club

December 2023

December 2023

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024

Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 26	27	28	29	30	Dec 1	2
3	4	5 Council 7pm	6	7	8	9
10	11	12	13	14 DSSAB	15	16
17	18 Library Board Meeting PSB MEETING @6:00PM	19	20	21	22	23
24	25 12:00am	26	27	28	29	30
31	Jan 1, 24	2	3	4	5	6