

**OFFICIAL PLAN FOR THE  
TOWNSHIP OF ATIKOKAN**

**MARCH 2002**

**MODIFIED May 12, 2004  
Reformatted April 11, 2008**

PREPARED BY:  
**HYNDE, PAUL ASSOCIATES INCORPORATED**

179 KING STREET, ST. CATHARINES, ONTARIO L2R 3J5  
PHONE: (905)641-2300 FAX: (905)641-2382



## TABLE OF CONTENTS

ITEM	PAGE NO.
<b>SECTION 1 - INTRODUCTION</b> .....	<b>1</b>
1.1 PREAMBLE.....	1
<b>SECTION 2 - GOALS AND OBJECTIVES OF THE OFFICIAL PLAN</b> .....	<b>5</b>
2.1 GOALS.....	5
2.2 OBJECTIVES.....	5
<b>SECTION 3 - GENERAL PROVISIONS</b> .....	<b>7</b>
3.1 GENERAL .....	7
3.2 ZONING .....	7
3.3 SUBDIVISION OF LAND .....	7
Subdivision Policies .....	7
Consent Policies .....	8
3.4 PROVINCIAL HIGHWAYS .....	9
3.5 ACCESSORY USES.....	9
3.6 HOME OCCUPATIONS.....	9
3.7 GROUP HOMES.....	9
3.8 BED AND BREAKFAST .....	10
3.9 GARDEN SUITES.....	10
3.10 CROWN LANDS .....	10
3.11 DRAINAGE .....	11
3.12 SERVICING .....	11
3.13 SENSITIVE AREAS .....	12
3.14 ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES.....	12
3.15 LAND USE COMPATIBILITY .....	13
3.16 ENVIRONMENTAL PROTECTION .....	14
3.17 WAYSIDE PITS AND QUARRIES.....	15
3.18 PORTABLE ASPHALT PLANTS.....	15
3.19 AGGREGATE RESOURCE AREAS .....	16
3.20 FORESTRY.....	16
3.21 AREA OF MINERAL RESOURCE POTENTIAL .....	17
3.22 STEEP ROCK MINE STUDY AREA.....	17
3.23 MINE HAZARDS .....	17
3.24 CONTAMINATED SITES.....	17
3.25 WASTE DISPOSAL SITES .....	17
3.26 PUBLIC WORKS .....	18
3.27 UTILITY RIGHT-OF-WAYS AND EASEMENTS .....	18
3.28 DEVELOPMENT ADJACENT TO OR IN PROXIMITY TO CN RAIL LANDS.....	17
<b>SECTION 4 - LAND USE POLICIES</b> .....	<b>19</b>
4.1 GENERAL .....	19
4.2 RESOURCE DEVELOPMENT .....	19
Permitted Uses.....	19
Rural Residential Uses .....	20
Seasonal Residential and Tourism Uses .....	20
Recreational Commercial Uses .....	21
Institutional Uses.....	21

	Industrial Uses .....	22
	Aggregate Extraction And Processing .....	22
	Mineral Exploration And Mining Activities .....	23
	Forestry Uses .....	24
4.3	RESIDENTIAL.....	25
	Permitted Uses.....	25
	Residential Uses .....	25
	Low Density Residential Development .....	26
	Medium Density Residential Development.....	26
	Institutional Uses .....	27
4.4	COMMERCIAL.....	28
	Commercial Development Policies .....	28
	General Commercial .....	29
	Highway Commercial .....	30
4.5	INDUSTRIAL.....	31
	Permitted Uses.....	31
	Industrial Development Policies.....	31
	Aggregate Extraction And Processing .....	32
	Mineral Exploration And Mining Activities .....	32
4.6	OPEN SPACE - RECREATION.....	33
	Permitted Uses.....	33
	Open Space And Recreation Development Policies .....	33
4.7	INSTITUTIONAL .....	35
	Permitted Uses.....	35
	Institutional Development Policies .....	35
4.8	ENVIRONMENTAL PROTECTION .....	36
	Permitted Uses.....	36
	Environmental Protection Development Policies.....	36
<b>SECTION 5 - COMMUNITY SERVICES AND FACILITIES.....</b>		<b>38</b>
5.1	GENERAL .....	38
5.2	ROADS.....	38
5.3	WATER SUPPLY.....	39
5.4	SEWAGE DISPOSAL .....	40
5.5	NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL .....	41
5.6	RECREATION AND OPEN SPACE .....	41
5.7	COMMUNITY FACILITIES AND SERVICES .....	41
<b>SECTION 6 - IMPLEMENTATION AND ADMINISTRATION .....</b>		<b>42</b>
6.1	THE TOWNSHIP'S ROLE IN IMPLEMENTATION AND RESPONSIBILITIES .....	42
6.2	PUBLIC PARTICIPATION .....	42
6.3	STREAMLINING REVIEWS OF PLANNING APPLICATIONS.....	43
6.4	OFFICIAL PLAN - AMENDMENTS AND REVIEW .....	43
6.5	ZONING BY-LAW .....	43
6.6	NON-CONFORMING USES .....	44
6.7	FEES .....	44
6.8	MINOR VARIANCE.....	45
6.9	SITE PLAN CONTROL.....	45
6.10	HOLDING PROVISIONS .....	46
6.11	INTERIM CONTROL.....	46

6.12	TEMPORARY USE BY-LAWS .....	46
6.13	IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES .....	47
6.14	PARKLAND DEDICATION .....	47
6.15	PROPERTY MAINTENANCE AND OCCUPANCY STANDARDS BY-LAW .....	48
6.16	APPROVAL AUTHORITY.....	48
6.17	AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION .....	48
6.18	LAND USE BOUNDARIES .....	48
<b>SCHEDULE "A" LAND USE PLAN TOWNSHIP OF ATIKOKAN .....</b>		<b>49</b>
<b>SCHEDULE "B" LAND USE PLAN TOWNSITE OF ATIKOKAN .....</b>		<b>50</b>
<b>APPENDICES .....</b>		<b>51</b>
	APPENDIX A Definitions.....	52



# **SECTION 1 - INTRODUCTION**

## **1.1 PREAMBLE**

This document constitutes an Official Plan of the Township of Atikokan and has been prepared in accordance with the provisions of the Planning Act. This Plan may be known as the "Official Plan for the Township of Atikokan" and applies to all lands within the municipal boundary of the Township of Atikokan.

The Township of Atikokan is located in the District of Rainy River approximately 200 kilometres west of the City of Thunder Bay. Also, the Township is located in proximity to the international boundary with the United States to the south, and is 150 kilometres east of the Town of Fort Frances and the International border crossing with the United States at International Falls, Minnesota.

The Township of Atikokan is comprised of 372.93 square kilometres (144 square miles) of land area. Highway 11 traverses through the Township in an east/west direction and connects the Township with Thunder Bay to the east and Fort Frances to the west. Highway 622 is a secondary highway that traverses through the Township in a north/south direction and links Atikokan with Highway 17 to the north, approximately 30 kilometres west of Ignace. The townsite of Atikokan is the administrative, business and residential centre of the Township.

Also, the Canadian National (CN) Railway is a major transportation facility that travels through the Township in an east/west direction north of Highway 11. The rail line is a main line operated by CN and is used mainly for the bulk transportation of goods between Thunder Bay and Winnipeg. Passenger service is not available. The rail line generally forms the southern boundary of the townsite of Atikokan and the rail yard. The Township is interested in acquiring lands considered surplus by CN for the development and enhancement of the gateway to the townsite.

In addition to excellent highway and rail access and transportation, the Township also has a municipal airport with private air service available.

The Township is located in an area of the Province that has its development and economy based historically on natural resources, historically the mining industry and more recently the forestry industry. The Township can be described as an area containing a mix of rural and urban development having a local economy based on natural resources. The townsite of Atikokan is the serviced urban area, comprised of residential, commercial, institutional, and recreational uses. The remainder of the Township is primarily a rural area comprised of limited commercial and industrial uses and a vast undeveloped rural area. The establishment of a strong and diversified economic base providing growth and development opportunities throughout the Township are less reliant on the boom/bust economy of mining, is of importance to the Council and the residents of the Township of Atikokan.

Critical to providing growth and development opportunities, is the need to establish a balance between the various competing interests. For example, one of the areas that the Township wants to promote for growth are eco-tourism and recreational residential opportunities in the rural area of the Township. Yet the majority of the undeveloped rural area of the Township has been identified as having potential for mineral resources and should be protected for future mining activities. However, due to the accessibility and quality of the ore, combined with the poor economic performance of the base metals on the world market, it is not economically viable to support a mining operation today and it is questionable when, or if, it would ever be economically possible to support a mining operation again in the Township. Until some unknown time in the future when mining operations may again be viable, the Township feels that other opportunities for development are warranted and should be considered in the vast rural undeveloped area of the Township at a scale that would not obstruct or deter possible future mining activities. The premise that low density rural and recreational residential development and tourism development opportunities would prohibit access to potential resources is also not supported by the Township. The ability to protect potential mineral resources is possible while at the same time permitting low density development.

It must also be recognized that Atikokan historically is a mining community and is well aware of the impact mining can have on surrounding land uses and the community and also the impact surrounding land uses can have on a mining operation. In addition, Atikokan has experienced first hand the economic and social impacts a mining operation has on the community and local economy and the cyclic nature of those impacts. From both an economic and social perspective, there is a need to overcome the cyclic or boom/bust impact that mining has historically had on the community. Now that the mines are closed there is a greater need to diversify economically and be less reliant on a single resource industry.

The Township is interested in developing economic opportunities in the tourism sector of the economy, i.e. Canoe Centre, cottage lot development, eco-tourism operators, etc. in an effort to diversify economically. A portion of Quetico Provincial Park is located within the boundary of the Township. Quetico Provincial Park is an important historical and tourism centre that contributes to the economy of Atikokan. Other economic opportunities that the Township are also interested in pursuing involves the development of sustainable forestry practices and operations and expansion of the education services offered in the Township.

The existing Official Plan for the Township was prepared in the mid-1980's while the Zoning By-law was prepared in the 1977 with a later consolidation completed in 1988. Since that time, the Township has experienced an economic decline which has affected overall growth and development in the Atikokan. In addition, the planning framework in Ontario has undergone significant reform during the early 1990's resulting in changes to the Planning Act, changes to provincial policy and downloading of the municipal review function to local governments. In response to the changes that have occurred locally and at the provincial level, the Township is in need of a new Official Plan that is responsive to the needs of the community and reflect the new planning environment in Ontario.



Also, at some point in the future, the Township will consider having delegated to them consent approval authority from the Ministry of Municipal Affairs and Housing. As a result, there is a need for suitable consent policies that provide clear direction regarding the subdivision of land. These policies would offer important direction to the Township in fulfilling this new decision making responsibility.

The population and settlement patterns of the Township have primarily been influenced by the boom/bust cycle associated with the mining industry. During the time that the mines were in production there was growth and development compared with the severe loss in population the Township experienced during the late 1970's and early 1980's after both the Steep Rock Mine and Caland Ore Mine announced closure plans. Based on a 30 year historical review of the Township's population from Census Canada data, the Township continuously experienced a loss in population from the 1960's and had a peak population in 1966 of 6,386 persons. Today, this loss in population has stabilized and in the last few years, between 1991 and 1996 the population has virtually remained the same and the Township has maintained a population of 4,047 and 4,043 persons respectively. Today, the Township feels that it has overcome the effects of the loss of the mining industry and is recovering from that loss through economic diversification.

Today it is recognized that the decline in population has leveled off and modest growth is projected for the Township consistent with the overall growth projections for the District of Rainy River. It is projected that the population of the Township in 2011 will be 4,886 persons and 5,408 by 2021.

However, it is noted that the establishment of one or two successful business enterprises in the Township has the potential to significantly affect these population projections. A successful business enterprise could result in an increase in population over and above what is projected. Therefore, regular monitoring of the population is required to determine if the population projections remain relevant to the Township. Also, if the opposite were to occur, the effect on the population projections would be significant, i.e. should one or two large employers cease operations, the Township could experience an overall decline in population or negative growth.

The townsite of Atikokan will continue to be the residential, commercial, recreational and administrative centre for the Township. In rural areas opportunities are available for limited rural residential development through the consent process. Rural residential development by consents and in the form of rural subdivisions may be permitted provided development can be safely serviced by private individual septic and water systems. Areas with scenic vistas in proximity to lakes and rivers, i.e. Steep Rock Lake, are examples of locations in the Township that are appropriate for seasonal residential and tourism opportunities subject to servicing, lake carrying capacity, design and site specific considerations.

The main transportation corridor into Atikokan townsite is Mackenzie Avenue and the CN rail line. Although this route has served as a major route for industrial and commercial traffic, its role will change with the shift in the Township's objective of dispersing its economic base from being totally dependent on the primary industries to encouraging more tourism into the Township. The streetscape of the main entrance into the townsite will play an important role to encouraging tourism into the area. Improvements to the entrance, and the streetscape specifically, will take place over the life the Plan with a collaborative effort between private and public sectors. The CN rail line runs parallel to the main entrance into the townsite. Certain lands owned by CN may become surplus to its needs and the Township will participate with CN to ensure that the final disposition of the CN's lands are in keeping with the overall improvements to the entrance into the townsite. All new building expansion and/or new development adjacent to the entranceway shall have regard to the protection of an aesthetically pleasing streetscape in keeping with the road's role as a major entrance into the new tourism area of Atikokan. Streetscape plans and/or gateway plans showing building elevations, storage treatment, fencing and landscaping may be initiated by the Township during the life of the Plan, or may be a requirement of any major development application on the corridor into the townsite.

This Plan is intended to provide policy direction and guidance over a 20 year planning horizon to 2021 and will be reviewed every 5 years to determine if the population and growth projections remain relevant and the policy guidelines and framework for development continues to reflect the needs of the Township. The water treatment plant was designed to service a population of 6,700 persons, which greater than the 20 year population projection for the Township.

Decisions regarding land use planning matters will be guided by the policies contained in this Plan. Local autonomy and empowerment in the decision making process regarding future development and land use matters is desired by the Township.

## **SECTION 2 - GOALS AND OBJECTIVES OF THE OFFICIAL PLAN**

The goals and objectives of this Plan form the foundation of planning principles and provide direction to manage change, guide future development and develop detailed policies and programs that stimulate economic growth, protect the environment and public health, promote the use of natural resources for the economic use and environmental benefits and reduce costs by restricting development in areas where there is risk of health, safety or property damage. The goals reflect the present and future needs and values of the Township and the residents of the Township.

### **2.1 GOALS**

2.1.1 The goals of this Official Plan are to:

- (a) protect and maintain the quality of life in the Township while at the same time provide opportunities for growth and appropriate development;
- (b) establish policies which manage and direct physical change and the effects on the social, economic and natural environment, of the Township, over the next 20 years;
- (c) secure the health, safety, convenience and welfare of the residents of the Township of Atikokan by controlling development that causes environmental, health, and safety concerns and property damages;
- (d) ensure the Township's resources are rationally used and that both natural and cultural heritage features are protected while development opportunities are not overly restricted;
- (e) qualify the Township for various programs funded by senior levels of government;
- (f) provide policies which will encourage the expansion and diversification of the local economic base;
- (g) provide policies that guide development that is environmentally compatible, supports sustainable development and minimizes land consumption;
- (h) inform the residents of the Township of Atikokan of the policies that affect the development of land;
- (i) provide a guiding framework for implementing by-laws and for decisions of local boards, commissions, committees and other authorities;
- (j) provide Official Plan coverage throughout the Township; and
- (k) provide policies that have regard to the Provincial Policy Statement in support of local conditions and circumstances.

### **2.2 OBJECTIVES**

2.2.1 The Township is committed to fulfilling the objectives of the Official Plan which are to:

- (a) actively seek and encourage new development that maintains the quality of life, maintains or improves the health of existing businesses and diversifies the economy. This Official Plan represents a step in this process;
- (b) to encourage patterns of development which facilitate the provision of local services with minimal or no impact on local finances and provides for the efficient use of land, infrastructure and public service facilities;

- (c) to preserve and enhance, where possible, the environmental quality of the area and minimize impacts of land uses on the natural environment and protect the integrity of ecosystems;
- (d) to encourage commercial and industrial opportunities that are compatible with the natural environment and are economically feasible;
- (e) to have regard for the importance of natural resources including mineral resources, forest resources and fisheries and wildlife resources within the Township with respect to their contribution to the economic, social and well being of its residents;
- (f) to encourage the creation of housing which is affordable, accessible, adequate and appropriate to a full range of households in the Township and shall encourage that an adequate supply of land is available to meet the housing needs of its residents including opportunities for redevelopment and intensification within the serviced area of the Township; and
- (g) with this Plan, the Township has achieved the goal of establishing a policy framework for the future that addresses the unique circumstances of the Township of Atikokan which also has regard for the Provincial Policy Statement in consideration of local conditions and circumstances.

## **SECTION 3 – GENERAL PROVISIONS**

### **3.1 GENERAL**

- 3.1.1 The following land use policies apply to all lands in the Township of Atikokan unless specifically mentioned for exclusion.
- 3.1.2 The designation of land for a particular use in this Plan only indicates that the land so designated may be considered for the designated use, subject to the more detailed criteria of this Plan and other legislation. There is no guarantee that any individual parcel may be used for any permitted use in a particular designation.

### **3.2 ZONING**

- 3.2.1 The policies of this Plan and all land use designations shall be implemented through a comprehensive Zoning By-law. Any land use designation may have more than one zone category that regulates and controls the permitted uses.

### **3.3 SUBDIVISION OF LAND**

#### **SUBDIVISION POLICIES**

- 3.3.1 Subdivision of land by plan of subdivision or plan of condominium shall be permitted provided that:
- (a) the plan is considered to serve the public interest and is not deemed premature;
  - (b) the lands can be provided with adequate services and utilities;
    - (i) in the serviced area of the townsite of Atikokan sufficient reserve capacity in the water and sewage systems shall be available to service the subdivision;
    - (ii) in the area outside the serviced area of the townsite, the applicant shall provide a report prepared by a qualified consultant indicating that there is adequate water quality to meet the Ontario Drinking Water Standards and quantity available to service the subdivision and a ground water impact assessment report for sewage systems when the development consists of more than 5 lots;
  - (c) the development of land on partial services is discouraged except where it is necessary to address failed services, or because of physical or environmental constraints;
  - (d) the development is not likely to adversely affect the economy or financial position of the Township if such subdivision is approved;
  - (e) the development is directed away from hazard lands and development and site alteration is not permitted within floodways of rivers and streams;
  - (f) the development is not incompatible with any natural heritage features or areas;
  - (g) where access is proposed from a provincial highway, the Ministry of Transportation shall be consulted prior to subdivision approval being given to obtain input and support regarding minimum access and entrance permit requirements; and

- (h) the subdivision does not result in land use conflicts with existing nearby uses and where necessary, matters of land use compatibility identified in the policies of 3.14 are appropriately addressed.
- 3.3.2 It is the intent that plans of subdivision for residential purposes will be primarily within the Residential areas of the Township in conformity with the policies of this Plan. Plans of subdivision for industrial and commercial uses will be permitted if such plan is located in an area in conformity with the designation and policies of this Plan.

### **CONSENT POLICIES**

- 3.3.3 Consents shall only be granted that conform with the policies of this Plan and provided that:
- (a) the retained and severed lot(s) can be adequately and safely serviced. In areas not serviced by municipal sewage systems, the designated authority shall be consulted prior to consent approval being given to obtain support for the consent proposal;
  - (b) the soil and drainage conditions are adequate for the proposed use and permit the proper siting of buildings and if required, the installation of private septic disposal systems;
  - (c) the lands front onto a public road that is maintained year round by the Township or the Province and is of an acceptable standard of construction however, in certain circumstances consents may be granted for seasonal residential uses on municipally approved private roads and waterfront access lots;
  - (d) where access is proposed from a provincial highway, the Ministry of Transportation shall be consulted prior to consent approval being given to obtain input and support regarding access and entrance permit requirements;
  - (e) no traffic hazard is created by the consent and safe access/egress to the retained and severed lot(s) is feasible;
  - (f) the consent does not result in land use conflicts with existing nearby uses;
  - (g) the lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development;
  - (h) adequate protection and preventative services for persons and property are available, subject access to access restrictions;
  - (i) the proposed use can be safely located away from hazard lands and sites and outside of floodways of rivers and streams; and
  - (j) the development is not incompatible with any natural heritage features or areas.
- 3.3.4 The following may be considered as conditions of consent by the Township:
- (a) that the Zoning By-law be amended, if required;
  - (b) that any necessary land for road widening, allowances or easements be dedicated to the Township or the Province;
  - (c) that the applicant improve road access, grading, drainage, etc. to a standard satisfactory to the Township and/or the Province; and
  - (d) any other condition reasonable to the granting of the consent.

3.3.5 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:

- (a) boundary corrections or adjustments;
- (b) lot enlargements;
- (c) discharge of mortgage;
- (d) road widening and road allowances; and
- (e) easements.

### **3.4 PROVINCIAL HIGHWAYS**

3.4.1 In addition to the requirements of the Township of Atikokan, all development adjacent to provincial highways is subject to the requirements and permits of the Ministry of Transportation.

3.4.2 Noise impact studies conducted by qualified consultants may be required when sensitive land uses are developed on lands adjacent to provincial highways to determine appropriate buffering, setbacks and mitigation measures to address noise impacts associated from highway traffic on sensitive land uses."

### **3.5 ACCESSORY USES**

3.5.1 Where a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to the use will also be permitted.

3.5.2 Guest cabins for sleeping accommodation may only be permitted as an accessory use for a seasonal residential use, provided the guest cabin contains no cooking facilities.

3.5.3 Accessory dwellings or guest accommodation above boat houses are a permitted accessory use in to a seasonal residential dwelling.

### **3.6 HOME OCCUPATIONS**

3.6.1 Home occupations are recognized as important components of the local economy of the Township. The preponderance of home occupations reflects the a trend of home based businesses that is occurring not only locally in Atikokan, but also provincially where people live, work and play in one location. Generally, home occupations shall be permitted on residential properties provided:

- (a) they are not offensive;
- (b) do not create a nuisance as a result of noise, hours of operation, odour, traffic generation or other means; and
- (c) shall not detract from the principal residential use.

3.6.2 The Zoning By-law shall contain regulations with respect to home occupations. These regulations shall indicate, the following, among other matters:

- (a) the zones in which home occupations are permitted;
- (b) the types of activities which shall be considered as a home occupation; and
- (c) appropriate buffering for home occupations.

3.6.3 Home occupations include those occupations or businesses that utilize either part of a dwelling unit and/or an accessory building.

3.6.4 The home occupation shall be secondary to the main use of the property and not generate adverse or incompatible effects with the surrounding area.

### **3.7 GROUP HOMES**

3.7.1 Group homes are permitted in all areas residential uses are permitted.

3.7.2 A Group Home is defined as a housekeeping unit in a residential dwelling in which a maximum of 5 residents, excluding staff, live as a family under responsible supervision.

3.7.3 Only those group homes that can be supported by the existing level and range of community, social and medical services available in the Township shall be permitted.

3.7.4 All group homes shall be licensed or approved under provincial statute and be in compliance with the Zoning By-law.

3.7.5 A group home with more than 5 residents, excluding staff, shall require an amendment to the Zoning By-law.

### **3.8 BED AND BREAKFAST**

3.8.1 Bed and Breakfast establishments may be permitted in areas residential uses are permitted based upon the following criteria:

- (a) a Bed and Breakfast establishment shall be located on an open road maintained year round by the Township or the Province;
- (b) a Bed and Breakfast establishment shall have sufficient site area to accommodate on-site recreation amenities, adequate on-site parking and provide adequate buffering for any adjacent use;
- (c) a Bed and Breakfast establishment shall be located in a residential dwelling;
- (d) should external expansion be required to the dwelling to accommodate the proposed tourist facility, the character of the surrounding residential area shall be maintained; and
- (e) a Bed and Breakfast establishment with more than 3 rooms for lodging purposes shall require an amendment to the Zoning By-law.

### **3.9 GARDEN SUITES**

3.9.1 Garden suites shall be permitted as temporary accommodation for a maximum of ten (10) years pursuant to Section 39 of the Planning Act. An agreement may shall be required between the homeowner and the Township with the following provisions:

- (a) the garden suite shall not be permitted to separate by consent from the main residential dwelling on the lot;
- (b) the design, mass and location of the garden suite should compliment the main residential dwelling and streetscape;



- (c) the garden suite should utilize and connect to the services used by the main dwelling. In the areas not serviced by the municipal sewage treatment system, clearance from the Northwestern Health Unit or designated authority is required to permit the garden suite to connect to the septic system servicing the main dwelling;
- (d) the name of the person(s) who is to live in the garden suite; and
- (e) such matters as the installation, maintenance and removal of the suite, the period of occupancy and the monetary or other form of security that the Township may require for actual or potential costs to the municipality related to the suite.

### 3.10 CROWN LANDS

- 3.10.1 The majority of the Township is under Provincial Crown ownership and management. The Ministry of Natural Resources is responsible for the administration of Crown lands including the acquisition, disposition and management of Crown lands and waters pursuant to the Public Lands Act. The Ministry endeavours to administer all Crown lands and waters in the best public interest and is encouraged to have regard for the policies of this Plan and to consult with the Township of Atikokan with respect to the use and disposition of Crown lands and waters.
- 3.10.2 Authorization for occupation or use of Crown lands is required from the Province.
- 3.10.3 The Township recognizes that resource management activities on Crown lands and waters are desirable for environmental, social and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Province.

### 3.11 DRAINAGE

- 3.11.1 The management and removal of storm water is the responsibility of the property owner and must be managed to the satisfaction of the Province and the Township in accordance with the Drainage Act or the Ontario Water Resources Act, if applicable. In addition, the management and removal of storm water on properties adjacent to provincial highways requires the review and approval of the Ministry of Transportation.
- 3.11.2 Municipally owned drainage works shall be planned in accordance with the appropriate Class Environmental Assessment requirements of the Environmental Assessment Act.
- 3.11.3 No development shall be permitted in the floodplain of the Atikokan River, or which would interfere with or reduce the drainage or flood water storage capacity of any natural watercourse, or where the watercourse represents a hazard to the proposed development or creates a hazard to access routes.

- 3.11.4 A storm water drainage report or other water quality assessment which demonstrates that the function and quality of existing watercourses and the quantity and quality of ground water resources is not adversely impacted may be required prior to approving development which impacts on these resources. Where adverse impacts are anticipated, mitigative measures during and after construction to control sedimentation, erosion and flooding will be required.
- 3.11.5 Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, is subject to the approval of the Province in accordance with the provisions of the Lakes and Rivers Improvement Act and/or the Public Lands Act and the Ontario Water Resources Act and the approval of the Department of Fisheries and Oceans in accordance with the provisions of the Fisheries Act.

### 3.12 SERVICING

- 3.12.1 The Township will not accept ownership or responsibility for the operation or maintenance of communal water and sewage systems.
- 3.12.2 All development within the serviced area of the townsite of Atikokan shall be connected and serviced by the municipal water supply system and sanitary sewer treatment facilities.

### 3.13 SENSITIVE AREAS

- 3.13.1 Sensitive areas are natural areas that may be impacted by development and have been identified for natural and ecological functions and include such areas as wetlands, wildlife and fish habitat areas, sites with rare and endangered plant, animal or fish species, and areas that have life science or earth science values related to protection, scientific study or education. Fish, plant and wildlife species on the endangered species list are protected by the Endangered Species Act.
- 3.13.2 Development may be permitted in sensitive areas or adjacent to sensitive areas provided that it is demonstrated to the satisfaction of the Township that there will be no negative impact on the natural feature or ecological function of the natural feature and possible mitigation measures that may be required to protect against negative impacts are subject to the approval of the Township. A report from a qualified consultant may be required to identify the impact on the natural features, possible mitigation measures and where appropriate, the recommendations of the consultant's report may be incorporated into a site plan agreement or zoning by-law amendment. The Ministry of Natural Resources should be consulted for technical advice and input prior to development approval being granted.
- 3.13.3 New utilities/facilities should be located outside of the sensitive area.

3.13.4 The Ministry of Natural Resources is responsible for identifying and classifying wetlands. Presently two wetlands have been classified in the Township as provincially significant, the Sawmill Bay wetland and the Lower Basin A wetland and are designated as Environmental Protection Areas on Schedule "A". Locally important wetlands have also been shown as Environmental Protection Areas on Schedule "A". Additional Provincially significant wetlands will be added to this Plan by an amendment, at the time they are classified by the Ministry of Natural Resources or by a Qualified Wetland Evaluator.

### **3.14 ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES**

3.14.1 The Township of Atikokan encourages the conservation, protection and rehabilitation of cultural heritage resources, as well as encourages and fosters public awareness, participation and involvement in the conservation of these resources. Currently there are no known provincially registered archaeological sites located in the Township and there are no areas that have been identified by the Province as having the potential for archaeological resources. However, it is possible that there is likely the potential for archaeological resources along the shoreline of primary lakes and rivers.

3.14.2 The Township will consider supporting and maintaining a cultural heritage resource information base for municipal plan review purposes, including heritage site inventories for buildings and other areas, cemeteries, known pictograph sites, available archaeological site data or archaeological potential mapping, and results of archaeological assessments. Where feasible, the Township will attempt to participate in the conservation and maintenance of significant cultural heritage resources which are under Township ownership and/or stewardship.

3.14.3 Development proposed in areas known to have a potential for archaeological resources shall be assessed by qualified archaeologist licensed under the Ontario Heritage Act to determine the nature and extent of the resource prior to development approval being granted. Any archaeological assessment report conducted by a licensed archaeologist must be in compliance with the guidelines set out by the Province.

3.14.4 Should an archaeological assessment determines that significant archaeological resources are present on a site, the resource shall be documented and conserved to the satisfaction of the Province through excavation or on-site preservation prior to final approval of the development proposal. A zoning by-law protecting the identified archaeological resource may be considered by Council.

3.14.5 The Ontario Heritage Act may be utilized to conserve, protect and enhance any identified cultural heritage resources in the Township. Council may by by-law designate for protection and conservation individual properties and/or districts of historic and/or architectural value or interest.

3.14.6 A Local Architectural Conservation Advisory Committee (LACAC) may be established under the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act and on other matters of cultural heritage conservation.

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

### **3.15 LAND USE COMPATIBILITY**

- 3.15.1 As much as possible land use conflicts should be avoided. The encroachment of sensitive land uses and industrial uses on one another is discouraged. Buffering and separation distances in accordance with Provincial guidelines shall be incorporated between sensitive and industrial uses to minimize potential adverse effects, such as noise, odour, vibration, particulate and other contaminants through zoning by-law amendments and site plan agreements. Mitigation measures such as setbacks, fencing and landscaping may be required to minimize potential adverse impacts on the sensitive use. Assessment and impact studies conducted by qualified consultants may be required to determine appropriate buffering, separation distances and mitigation measures necessary to address potential adverse impacts on sensitive land uses from noise, dust, odour, vibration, particulate or contaminants associated with industrial land use.
- 3.15.2 Development will generally be directed away from hazardous lands or sites unless it can be demonstrated that the hazard will not result in public health, safety or potential property damage, that no new hazards are created or existing hazards aggravated, and no adverse environmental impacts will result from the development to the satisfaction of the Province and the Township.
- 3.15.3 Development on, or adjacent to lands affected by man-made hazards and contaminated sites, will be permitted if rehabilitation or restoration measures to address and mitigate the hazard have been implemented and there is no adverse effect. An environmental audit or decommissioning report shall be completed and a site restoration plan prepared and implemented by a qualified consultant in accordance with the Province's guidelines and in consultation with the Township prior to development approval being granted.
- 3.15.4 No development shall be permitted that result in the degradation of the quality and integrity of an ecosystem below acceptable standards, including air, water, land and plant and animal life. Where the quality and integrity of an ecosystem has been diminished, the Township shall encourage its restoration or remediation to healthy conditions.

### **3.16 ENVIRONMENTAL PROTECTION**

- 3.16.1 No development shall be permitted that result in the unacceptable degradation of the quality and integrity of an ecosystem including air, water, land and plant and animal life. Where the quality and integrity of an ecosystem has been unacceptably diminished, the Township shall encourage its restoration or remediation to healthy conditions.

### **3.17 WAYSIDE PITS AND QUARRIES**

- 3.17.1 A wayside pit or wayside quarry means a temporary pit or quarry opened and used by a public road authority or their agent, solely for the purposes of a particular road project or contract of road construction or maintenance. Accessory aggregate processing operations such as crushing, screening, washing and stockpiling of aggregate product are also considered to be permitted uses in a wayside pit or quarry.
- 3.17.2 Wayside pits and quarries shall be permitted throughout the Township except for the following:
- (a) in areas designated Residential;
  - (b) within 90m of an existing residential use; and
  - (c) where severe environmental disruption will occur.
- 3.17.3 The opening of wayside pits and quarries shall be permitted without an amendment to this Plan or the Zoning By-law.
- 3.17.4 The Ministry of Transportation shall ensure that wayside pits and quarries used for its purposes are rehabilitated.

### **3.18 PORTABLE ASPHALT PLANTS**

- 3.18.1 A portable asphalt plant means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.
- 3.18.2 Portable asphalt plants used by a public road authority or their agents, shall be permitted throughout the Township, subject to the approval of the Ministry of the Environment, except for the following locations:
- (a) in the developed area of the townsites of Atikokan;
  - (b) within 500m of an existing residential use; and
  - (c) where severe environmental disruption will occur.
- 3.18.3 Portable asphalt plants shall be permitted without an amendment to this Plan or the Zoning By-law provided the Township of Atikokan is given adequate notice and an opportunity to express concern regarding the location of the plant.
- 3.18.4 Portable asphalt plants shall be removed from the site upon completion of the road project. Sites used for portable asphalt plants within the Resource Development are shall be rehabilitated.

### **3.19 AGGREGATE RESOURCE AREAS**

- 3.19.1 The Township will endeavor to undertake an Aggregate Resource Inventory Study to identify areas of aggregate potential for aggregate use. The study will assess the resource and recommend appropriate policy directions for aggregate resources including the identification of such areas on Schedules "A" by way of an amendment to this Plan.
- 3.19.2 Located in the Resource Development area of the Township are local aggregate extractive sites which provide a local source of aggregate. Existing aggregate operations shall be protected from incompatible land uses.
- 3.19.3 Development adjacent to existing aggregate operations will be permitted provided that the development does not restrict access to the resource. If access to the resource is restricted as a result of development, the development may be permitted provided that:
- (a) the use of the resource is not feasible; or
  - (b) the development or use serves a greater long term public interest; and
  - (c) issues of public health, safety and environmental impact are addressed.
- 3.19.4 Progressive rehabilitation of pits and quarries is required and should be implemented through a site rehabilitation plan.
- 3.19.5 The use of aggregate processing equipment such as crushers and screening plants requires a Certificate of Approval from the Ministry of the Environment.

### **3.20 FORESTRY**

- 3.20.1 Forest resources provide a significant economic, social and environmental benefit in the form of:
- (a) income from forest products;
  - (b) recreation;
  - (c) education;
  - (d) soil and water conservation;
  - (e) wildlife habitat;
  - (f) buffers between land uses; and
  - (g) natural amenities.
- 3.20.2 Property owners are encouraged to seek the assistance of the Ministry of Natural Resources in the management of their forest resources.
- 3.20.3 The maintenance of forest cover along river and stream banks is encouraged and reforestation in areas where forest resources have been depleted is encouraged.
- 3.20.4 Certain areas of the Township are highly susceptible to damage caused by forest, brush and/or grass fires. Forest fire prevention and hazard reduction activities are desirable for environmental, economic and social reasons.

3.20.5 Development of land adjacent to or within high fire risk areas should incorporate design measures and construction techniques which will minimize damage resulting from a forest, brush or grass fire. Such measures may include identifying access and escape routes, layout of fire breaks, use of fire resistant construction materials and building and property maintenance.

### **3.21 AREA OF MINERAL RESOURCE POTENTIAL**

3.21.1 The subdivision of land that restricts access to, or the establishment of a mining operation in areas identified as having potential for mineral resources, will only be permitted provided it can be demonstrated to the satisfaction of the Province and the Township that:

- (a) the use of the resource is not feasible;
- (b) the proposed use serves the greater long-term public interest than the resource; and
- (c) issues of public health, safety and environmental impact are addressed.

The subdivision of land that does not restrict access to the resource or the establishment of a new mining operation is permitted in areas of mineral potential. Seasonal residential and tourism uses are such uses that will not prevent access to possible future mining operations. Areas of mineral resource potential are identified on Schedule "A".

3.21.2 Mineral mining operations will be protected from activities that would preclude or hinder their expansion, continued use or which would be incompatible for reasons of public health, safety and environmental impact.

3.21.3 Rehabilitation of mineral extractive sites will be required after extraction and other related activities have ceased to the satisfaction of the Province and the Township. Mine closure plans shall be submitted to the Township for input.

### **3.22 STEEP ROCK MINE STUDY AREA**

3.22.1 The area outlined on Schedule "A" as "Steep Rock Mine Study Area" will be reviewed by the Ministry of Natural Resources in consultation with the municipality and other affected agencies and stakeholders to determine the need for remediation measures to the former mine property and its associated or affected watershed area.

3.22.2 The municipality shall consult with the province prior to making a decision on any land use planning applications or the creation of any new lots in this area. Until the study mentioned in 3.22.1 has been completed, the implementing zoning by-law shall not permit the establishment of any new residential or seasonal dwellings, agricultural use or any institutional use where people reside on the property without a site specific zoning amendment."

### **3.23 MINE HAZARDS**

3.23.1 Progressive rehabilitation is required for any mine hazard in accordance with the requirements of the Province and input from the Township.

### **3.24 CONTAMINATED SITES**

- 3.24.1 Prior to approving any development on lands that have been contaminated by previous uses, a Record of Site Condition shall be prepared by a qualified consultant, in accordance with the Ministry of the Environment guidelines, which identifies the extent of the contamination and summarizes information about the site, including the site condition to be achieved through restoration. Any site restoration works required to remediate the site shall be undertaken in accordance with the Ministry of the Environment's requirements and standards.
- 3.24.2 Lands that have been contaminated by previous uses may be placed in a holding zone. The holding symbol shall be lifted and the lands zoned for its designated use once the site has been remediated to acceptable conditions for the new use.

### **3.25 WASTE DISPOSAL SITES**

- 3.25.1 Development shall be prohibited on all waste disposal sites located in the Township, including closed sites. Waste disposal sites are considered an industrial use.
- 3.25.2 Development proposed within 500 metres of an existing or closed waste disposal cell shall not be approved under a plan of subdivision, consent or building permit unless it can be demonstrated that there is no evidence of leachate, methane gas migration or other contaminants present in the soils or ground water supply to the satisfaction of the Ministry of Environment and the Township of Atikokan.
- 3.25.3 The reuse of a closed waste disposal site for any use within the first 25 years of its closure requires the approval of the Ministry of the Environment in accordance with the provisions of the Environmental Protection Act.

### **3.26 PUBLIC WORKS**

- 3.26.1 Any public works undertaken in the Township of Atikokan shall conform to the policies of this Plan, in accordance with Section 24 of the Planning Act and shall be planned and implemented in accordance to the applicable Class Environmental Assessment under the Environmental Assessment Act, as amended.

### **3.27 UTILITY RIGHT-OF-WAYS AND EASEMENTS**

- 3.27.1 It is recognized that public utilities have the right to maintain, repair and service their facilities over private property. In certain instances, these utility corridors are not recognized by formal easements registered on title. Efforts will be made by the various public utility companies to secure the appropriate easements and legal documentation to ensure their rights of access to their facilities.
- 3.27.2 Easements and right-of-ways for utility corridors will be granted through conditions of approval for such matters as consents, amendments to the Official Plan and Zoning By-law, site plan approval or minor variance approval.



### **3.28 DEVELOPMENT ADJACENT TO OR IN PROXIMITY TO CN RAIL LANDS**

#### **3.28.1 Development Adjacent to or in proximity to a Rail Yard**

- (a) Except for limited infilling on existing lots of record, new residential development and other sensitive land uses shall not be permitted within 300 metres of a rail yard.
- (b) Notwithstanding subparagraph a), where a planning approval is required, (except for a comprehensive zoning by-law update or consolidation or a minor variance) limited residential development of a restrictive infill nature, may be permitted provided it has been demonstrated by a site specific study to the satisfaction of the Township, in consultation with the railway, that there will be no negative impacts on the long term function of the rail yard, that the applicable provincial policies and guidelines, including Ministry of the Environment noise assessment and land use compatibility guidelines have been addressed and the Township is satisfied that appropriate measures to mitigate any adverse effect from noise will be undertaken.
- (c) Residential development and other sensitive land uses between 300 metres and 1000 metres of a rail yard that require a planning approve (except for a comprehensive zoning by-law update or consolidation or a minor variance) may be permitted provided that it has been demonstrated by a site specific study to the satisfaction of the Township, in consultation with the railway, that the applicable provincial policies and guidelines, including Ministry of the Environment noise assessment and land use compatibility guidelines have been addressed and the Township is satisfied that appropriate measures to mitigate any adverse effect from noise will be undertaken.

#### **3.28.2 Development Adjacent to or in proximity to a Rail Corridor**

- (a) Residential development and other sensitive land uses within 300 metres of a railway corridor that require a planning approval (except for a comprehensive zoning by-law update or consolidation or a minor variance) may be permitted provided that it has been demonstrated by a site specific study to the satisfaction of the Township, in consultation with the railway, that the applicable provincial policies and guidelines, including Ministry of the Environment noise assessment and land use compatibility guidelines have been addressed and the Township is satisfied that appropriate measures to mitigate any adverse effect from noise will be undertaken.

#### **3.28.3 Additional Policies for Development Adjacent to or in proximity to a Rail Yard or Rail Corridor**

- (a) All proposed development within 75 metres of a railway corridor or rail yard may be required to undertake vibration studies, to the satisfaction of the Township in consultation with the railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that are identified.
- (b) 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 Township in consultation with the railway.

- c) In lieu of the site specific studies required in Sections 3.28.1 and 3.28.2, the municipality, in consultation with the railway, may conduct a general study to determine appropriate noise mitigation measures to be incorporated into any new development permitted by these sections. Any such study shall be updated on a regular basis to reflect current rail operating conditions.

#### 3.28.4 Identification of Rail Corridor and Rail Yard lands

- (a) The extent of the Rail Yard is shown on Schedule "B". For the purposes of this plan all other rail lines shall be considered to be rail corridors."

## ***SECTION 4 - LAND USE POLICIES***

### **4.1 GENERAL**

- 4.1.1 Land use designations have been established for Township of Atikokan. The Land Use Plan as detailed on Schedules "A" and "B" illustrate the land use designations. Schedules "A" and "B" should be read together in conjunction with the policies of Section 3.
- 4.1.2 The intent of this section of the Plan is to promote the optimum land use function by minimizing land use conflicts and providing an attractive development pattern consistent with existing land uses and economic development of the Township.

### **4.2 RESOURCE DEVELOPMENT**

- 4.2.1 It is the intent of this Plan to maintain the rural character and environment of the Resource Development area of the Township of Atikokan while at the same time promoting the area for recreation and tourism related activities and uses. The Township is capable of supporting development that is resource and non-resource based. It is not realistic to attempt to precisely define where these uses may best occur. Rather, a general Resource Development area land use designation in which these uses can be accommodated in accordance with the specific policies of this Plan and through the implementation of the zoning by-law and zoning amendments, would allow flexibility in determining the appropriate uses of land.
- 4.2.2 The Resource Development area is characterized as a low density, multi-purpose resource area in which a variety of land uses can be accommodated in a compatible manner. Land designated as Resource Development are shown on the Land Use Plan, Schedule "A" and "B". The watershed of Quetico Provincial Park is an area of resource management and land use activities within the watershed should take into consideration the protection values within the Park.

## **PERMITTED USES**

- 4.2.3 Permitted uses in the Resource Development area include rural residential dwellings, seasonal residential uses, tourist uses, recreational commercial uses, institutional uses, transportation facilities, waste disposal and recycling facilities, agriculture and agricultural related uses and electric power generation and associated facilities and accessory and ancillary uses. It is also the intent of the Resource Development area designation to permit and encourage such resource uses as forestry, resource management, conservation uses, trapping and hunting, commercial fishing, bait fish harvesting, fish farming, wild rice harvesting, sustenance fishing by local First Nations, mineral exploration uses, extraction of peat for horticulture and fuel purposes and aggregate extraction.
- 4.2.4 It is the intent of the Resource Development area land use designation to:
- (a) maintain the low density rural character of the Township;
  - (b) provide flexibility by permitting a variety of land uses; and
  - (c) to allow development of natural resources and economic activities in a manner compatible with the rural character which balances protection of natural resources with the need for economic diversification.
- 4.2.5 While land in the Resource Development area designation may be developed for a variety of uses, regard shall be given to ensure that development is compatible with surrounding land uses and appropriate for the site before development approval is given.

## **RURAL RESIDENTIAL USES**

- 4.2.6 Rural residential uses shall be permitted in the Resource Development area designation on existing lots of record and on lots created through the consent and subdivision process in accordance with the policies of this Plan (Section 3.3) and provided that:
- (a) new rural residential uses should be a reasonable distance and are oriented away from industrial uses to minimize the adverse effects of odour, dust, noise, vibration and other contaminants. The Ministry of the Environment may be consulted to obtain input with respect to separation distances and buffering requirements for residential development adjacent to industrial uses;
  - (b) new lots for rural residential uses should be a minimum area necessary for the use permitted and the installation of a private water supply and sanitary sewage disposal system approved by the designated authority. However, no new residential lot shall be smaller than 1.0 hectares;
  - (c) the lands front onto a public road that is maintained year round by the Township or the Province and is of an acceptable standard of construction;
  - (d) no new extensions of public roads are permitted to accommodate new residential development proposed by consent; and
  - (e) rural residential development shall be of a scale and density that is appropriate for the Resource Development area and not result in a concentration of development that may lead to the demand for services over and above what the Township provides to the rural area
  - (f) rural residential development is directed away from natural hazards; and
  - (g) there is no adverse impact from development on the natural feature(s) or the ecological function of natural heritage values.

- 4.2.7 Garden suites accessory to the main rural residential use may be permitted in the Resource Development area pursuant to the policies contained in Section 3.9 of this Plan.

### **SEASONAL RESIDENTIAL AND TOURISM USES**

- 4.2.8 The release of Crown land in the Resource Development area for low density seasonal residential and tourist development uses is supported by the Township. The Resource Development area has been identified as a suitable area for seasonal residential and tourist development uses subject to the results of an archaeological assessment of specific sites and fishery/wildlife assessments. It is noted that certain lakes have good road access, boat launching and parking facilities in support of and available for such uses.
- 4.2.9 The Township will not be responsible for the provision of municipal services, i.e. water, sewers, roads, to areas that are proposed to be developed for seasonal residential and tourism uses.
- 4.2.10 A significant portion of the Resource Development area has been identified as an area with mineral resource potential. Until such time as mining operations are economically viable and it is feasible to extract the resource, alternative land uses will be considered in the Resource Development area. Low density cottage or seasonal residential and tourism uses are considered appropriate alternative land uses that would not restrict access to possible mineral resources or hinder mining operations at some point in the future.
- 4.2.11 The development of seasonal or cottage residential and tourism uses on the lakes in the Resource Development area known to have potential for mineral resources will only be permitted provided:
- (a) there is no new permanent year round public road access to these sites;
  - (b) that the residential uses are not occupied on a permanent year round basis as principle residences; and
  - (c) that no permanent year round residential community is established.

These restrictions on development are provided as added safeguards to ensure that future access to mineral resources is not hindered by the development in the Resource Development area.

- 4.2.12 In order to further mitigate against possible conflicts between future mining activities and seasonal residential and tourism uses, it is the intent of Council that warning clauses be registered on title with the individual cottage lots or tourism uses in areas of mineral resource potential indicating the rights of mining operations to access and extract the mineral resource over the rights of other land uses to prevent such activities from occurring. It is Council's intent that access to the mineral resource is to be protected for possible future mining activities and that seasonal residential and tourism uses shall not restrict access to the mineral resource or preclude extraction of the resource.
- 4.2.13 At such time as mining operations become economically viable in the Township, mining activities will then be given precedence over other land uses in the Resource Development area. It is not the intent of this Plan that seasonal residential development and tourism uses conflict with or restrict mineral exploration or future mining activities in that area known to have mineral resource potential.

4.2.14 Seasonal residential and tourist development uses in the Resource Development area will be privately serviced and will require the approval of the designated authority for private sanitary sewage disposal systems. The minimum lot area for a seasonal residential use shall be 0.4 hectare.

### **RECREATIONAL COMMERCIAL USES**

4.2.15 Lands used for public or private recreational commercial purposes may be permitted in the Resource Development area subject to amendment to the Zoning By-law in accordance with the following provisions:

- (a) development shall only take place in areas suitable for the use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions and traffic generation; and
- (b) a site plan agreement pursuant to Section 41 of the Planning Act may be required.

### **INSTITUTIONAL USES**

4.2.16 Institutional uses may be permitted in the Resource Development area subject to an amendment to the Zoning By-law and in accordance with the following provisions:

- (a) the required Minimum Distance Separation Criteria I for nearby agricultural uses is complied with;
- (b) development shall only take place in areas suitable for the institutional use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions and traffic generation;
- (c) a site plan agreement pursuant to Section 41 of the Planning Act may be required;
- (d) development is directed away from natural hazards; and
- (c) there is no adverse impact from development on the natural feature(s) or the ecological function of natural heritage values.

### **INDUSTRIAL USES**

4.2.17 Industrial uses related to a natural resource may be permitted in the Resource Development area subject to an amendment to the Zoning By-law provided that:

- (a) the use is located on provincial highway or on an open road maintained year round by the Township;
- (b) buffering to the satisfaction of the Township shall be provided where a commercial or industrial use is located adjacent to a residential or recreational use;
- (c) there is no adverse impact on the amenity and character of the rural environment as established by the comprehensive zoning by-law;
- (d) adequate parking is provided;
- (e) a site plan agreement pursuant to Section 41 of the Planning Act may be required; and
- (f) processing of forest products, such as portable sawmill operations, are considered an industrial use and may be permitted provided that no equipment or machinery is located:
  - i) within 120 metres of a residential lot or a lot used for recreational, institutional or commercial uses;

- ii) within 30 meters of any road or road allowance; and
- iii) an agreement is entered into with the Township governing the hours of operation for operations that are adjacent to residential and sensitive land uses.

## **AGGREGATE EXTRACTION AND PROCESSING**

4.2.18 Aggregate extraction and processing uses shall be permitted in the Resource Development Area subject to an amendment to the Zoning By-law and provided that:

- (a) the operation is compatible with surrounding land uses;
- (b) adequate buffering is provided;
- (c) a site plan agreement pursuant to Section 41 of the Planning Act is required. The agreement shall address the following matters, but not be limited to:
  - i) hours of operation;
  - ii) location of proposed buildings, machinery and equipment;
  - iii) setbacks, landscaping and buffering;
  - iv) storm water management;
  - v) existing and anticipated final grades of excavation;
  - vi) access/egress;
  - vii) haulage routes;
  - viii) improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
  - ix) progressive site rehabilitation
- (d) the Ministry of the Environment is satisfied with respect to the disposal of liquid wastes, pumping operations and the control of air and noise pollution, among other matters; and
- (e) no excavation, building, equipment, machinery or stockpiling of material is allowed:
  - i) within 30 metres of a lot line of an adjacent lot used for residential, recreational, institutional or commercial purposes;
  - ii) within 30 metres of any area designated Residential;
  - iii) within 30 metres of any road or road allowance; and
  - iv) a quarry with blasting operations is to be setback a minimum of 800 metres from a residential building; and
- (f) aggregate permits are required from the Ministry of Natural Resources for aggregate extraction activities on Crown Land.

4.2.19 Aggregate processing operations, such as crushing, screening and washing of aggregate products are considered an accessory use to an aggregate extraction operation and may be permitted provided setbacks and location of buildings, machinery and equipment from lot lines is determined on a site specific basis in consultation with the Township of Atikokan and with the Ministry of the Environment through the issuance of a Certificate of Approval.

4.2.20 Related aggregate industrial uses such as asphalt plants, concrete batching plants and aggregate recycling operations may also be permitted subject to an amendment to the Zoning By-law and provided they are compatible with adjacent land uses and setbacks and location of buildings, equipments and machinery is determined on a site specific basis in consultation with the Township and the Ministry of the Environment through the issuance of a Certificate of Approval.

4.2.21 Wayside pits and quarries and portable asphalt plants may also be permitted in the Resource Development area in accordance with the policies of the 3.17 and 3.18.

### **MINERAL EXPLORATION AND MINING ACTIVITIES**

4.2.22 Mineral exploration activities shall be permitted in the Resource Development area. It is recognized that mineral exploration activities in a specific area tend to be short term with little negative impact on the environment or adjacent uses. However, it is also recognized that certain sensitive land uses may be impacted by certain types of mineral exploration activities and appropriate buffering and setback measures may need to be applied against possible negative impacts mineral exploration activities may have on a sensitive land use. These potential impacts and appropriate mitigative measures will be assessed and determined on a case by case basis.

4.2.23 Mining operations shall be permitted in the Resource Development area subject to an amendment to the Zoning By-law and provided that:

- (a) the operation is compatible with surrounding land uses;
- (b) adequate buffering is provided;
- (c) a site plan agreement pursuant to Section 41 of the Planning Act. The agreement shall address the following matters, but not be limited to:
  - i) hours of operation;
  - ii) location of proposed buildings, machinery and equipment;
  - iii) setbacks, landscaping and buffering;
  - iv) storm water management;
  - v) existing and anticipated final grades of excavation;
  - vi) access/egress;
  - vii) haulage routes;
  - viii) improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
  - ix) progressive site rehabilitation

### **FORESTRY USES**

4.2.24 Lands used for forestry purposes as defined by the Forestry Act includes the production of wood and wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation and protection and production of water supplies. Forestry uses shall be allowed without an amendment to the Zoning By-law. The processing of forest products is considered an industrial use and subject to the policies of 4.2.17. Where the ownership of trees is with the Provincial government, the Crown Forest Sustainability Act will apply.

## **4.3 RESIDENTIAL**

4.3.1 The focus for residential development shall be the Residential area serviced by municipal water and sewage treatment systems within the townsite of Atikokan The Residential area is shown on Schedule "B".

4.3.2 It is the objective of this Plan to:

- (a) ensure that an adequate supply of land and range of housing types and densities is available to accommodate residential growth and the demands for residential development for at least ten (10) years;
- (b) ensure that new residential development or redevelopment is physically compatible with the surrounding area and land use conflicts are minimized;
- (c) ensure the provision of adequate services including water, sanitary sewers, storm drainage;
- (d) ensure, wherever possible, in the design of residential developments, the protection and enhancement of the natural environment and amenities;
- (e) to promote a cost and energy efficient residential development pattern; and
- (f) to encourage residential development to locate in designated Residential areas.

### **PERMITTED USES**

4.3.3 The permitted uses in the Residential area include residential uses, rooming, boarding and lodging houses including bed and breakfast establishments, group homes and minor private and public open space facilitates. Garden suites in accordance with the policies of Section 3.9 and home occupations may also be permitted and will be evaluated based on their compatibility in terms of scale, design and fit with the physical character of the residential community.

4.3.4 In addition to the permitted residential uses, the Eastdale Neighbourhood will be allowed by plan of subdivision to develop mobile homes.

4.3.5 Community recreational facilities, public and private schools, religious institutions, day care centres and nursery schools are permitted uses in the Residential area subject to an amendment to the Zoning By-law and provided there is no adverse or negative impact on the surrounding residential neighbourhood with respect to noise, traffic, parking, etc.

4.3.6 Local convenience commercial uses may be permitted within the Residential area subject to an amendment to the Zoning By-law. The local convenience commercial uses shall be limited to, and cater to the day-to-day convenience and shopping needs of the immediate neighbourhood. The local convenience commercial uses shall be of a size and scale that is compatible with the surrounding residential uses and shall be subject to site plan control pursuant to Section 41 of the Planning Act.

### **RESIDENTIAL USES**

4.3.7 Residential development or redevelopment shall generally be by plan of subdivision or plan of condominium. Consents to sever individual parcels will be permitted when development by plan of subdivision is not necessary to implement the policies of this Plan and the provisions of Section 51(24) of the Planning Act.

4.3.8 In existing built-up residential areas which are relatively stable and where the potential for new development or redevelopment is limited, the building designs and densities shall be compatible with the physical character and identity of the surrounding residential lands.



4.3.9 The following standards of residential amenity shall be provided for with any residential development or redevelopment:

- (a) the provision and maintenance of adequate off-street parking for the development;
- (b) the provision and improvement and/or maintenance of on-site landscaping, parks and recreational areas;
- (c) the provision and maintenance of adequate separation distances and the placement of buffer features between residential uses of differing densities and between different types of land uses; and
- (d) the development is to be adequately served by community facilities such as parks, commercial uses, churches and school sites.

4.3.10 Proponents of residential development or redevelopment are responsible for ensuring that sufficient capacity is available in the municipal water and sanitary sewage systems to service the development.

#### **LOW DENSITY RESIDENTIAL DEVELOPMENT**

4.3.10 Low density residential uses shall generally include single detached, semi-detached and duplex dwellings. The maximum net residential density shall be 14 units per hectare (6 units per acre) in the serviced area of the townsite of Atikokan.

#### **MEDIUM DENSITY RESIDENTIAL DEVELOPMENT**

4.3.11 Medium density residential uses shall generally include townhouses, apartments, nursing/seniors homes and mobile home parks on full municipal services. The net residential density for medium density developments shall range between 30 units per hectare (12 units per acre) and 50 units per hectare (20 units per acre).

4.3.12 The design and locational criteria for medium density residential development shall include the following considerations:

- (a) the site should have safe and convenient access to a street so that traffic movements associated with the development shall be directed away from low density areas;
- (b) densities should not be increased to the point where increased traffic would lead to congestion and would necessitate road widening prematurely;
- (c) the height, bulk and arrangement of buildings and structures should achieve a harmonious design and integrates with the surrounding area and not impact negatively on lower density residential uses;
- (d) schools, parks and other community facilities should be adequate to serve the increased residential population resulting from the development;
- (e) water and sanitary services and storm drainage facilities shall be adequate to accommodate the increased residential densities;

- (f) appropriate open space, including landscaping and buffering, shall be provided to maximize privacy and minimize the impact on adjacent lower density residential uses;
- (g) on-site parking shall be required to satisfy the need of the particular development. All parking areas shall be well designed and properly related to the buildings and landscaped areas; and

- (h) service areas shall be required on the site of each development, i.e. garbage storage, etc.

### **INSTITUTIONAL USES**

- 4.3.13 New institutional uses shall be conveniently located and access onto a publically maintained road and shall be oriented in such a manner so that there is no adverse impacts on nearby residential uses with regards to parking, traffic and noise.
- 4.3.14 New institutional uses shall require an amendment to the Zoning By-law.

## **4.4 COMMERCIAL**

- 4.4.1 It is the intent of this Plan to promote business and commerce primarily within those areas designated Commercial on Schedule "B".
- 4.4.2 It is the objective of the Commercial land use designation to:
  - (a) encourage the provision of a sufficient level and variety of retail activity within the Township to satisfy the consumer demands of the residents;
  - (b) promote planned development of business and commercial uses consistent with the needs of the Township's residents;
  - (c) recognize the business district in the townsite of Atikokan and to enhance business and commercial activities within the Township;
  - (d) ensure that commercial development does not have negative impacts on adjacent land use, particularly residential uses; and
  - (e) recognize and provide for emerging tourist commercial opportunities.

### **COMMERCIAL DEVELOPMENT POLICIES**

- 4.4.3 Commercial uses shall be regulated by separate zone categories in the Zoning By-law. The Zoning By-law shall require increased side yard and rear yard setbacks and/or appropriate landscaping and buffering provisions between commercial uses and residential or institutional uses.
- 4.4.4 When considering an application to establish a commercial use or uses, the Township shall have regard for the following:
  - (a) the compatibility of the proposed use with the surrounding area;
  - (b) the physical suitability of the site for the proposed use;
  - (c) the adequacy of the existing street system to accommodate access and on-street parking;
  - (d) the convenience and accessibility of the site for both pedestrian and vehicular traffic; and
  - (e) the adequacy of utilities and water and sewer services and storm drainage.
- 4.4.5 The Commercial area of the Township is a site plan control area and commercial uses will be subject to site plan control pursuant to Section 41 of the Planning Act.
- 4.4.6 For those uses that provide for the storage or use of fuel products, a hydrogeotechnical assessment may be required to address such matters as the potential for ground water contamination and leachate from fuel storage facilities.

4.4.7 The design of all proposed commercial uses shall be in keeping with the character of the surrounding area. The following design criteria shall apply to the development and redevelopment of all commercial lands:

- (a) the provision of landscaped areas and all landscaping shall form an integral part of all commercial developments. Landscaping and tree planting shall be provided to improve the streetscape of all commercial areas, to function as screening and buffering between adjacent uses and for aesthetic and resting purposes;
- (b) open storage of goods and materials shall only be permitted in accordance with the provisions of the Zoning By-law;
- (c) loading and unloading areas shall be provided off-street and in the rear or side yard whenever possible; and
- (d) adequate off-street parking facilities shall be provided in accordance with the provisions of the Zoning By-law.

4.4.8 Existing residential uses in the Commercial area shall be permitted.

4.4.9 The reuse of commercial land that may have been contaminated from previous uses for alternative land uses shall be considered in accordance with the provisions of Policy 3.23.

#### **GENERAL COMMERCIAL**

4.4.10 Permitted uses in the General Commercial designation are those uses that serve the residents of Atikokan and include local convenience commercial uses, retail uses, offices, personal services, restaurants, hotels, commercial recreational facilities, existing institutional uses, existing public and government uses and existing residential uses. These uses are generally found in the business district of the townsite of Atikokan.

4.4.11 In addition, multiple residential uses, including apartment buildings, will be permitted in the General Commercial area subject to a site specific amendments to the Zoning By-law, save and except for along Main Street.

4.4.12 It is the policy of this Plan to maintain and promote the General Commercial area. New commercial development outside the central business district shall not jeopardize the viability of the commercial uses in the commercial core area of the townsite of Atikokan.

4.4.13 New development or redevelopment in the General Commercial area shall be sensitive to the character and scale of existing commercial uses, shall provide adequate off-street parking and shall not generate traffic that will result in negative impacts on adjacent residential neighbourhoods.

4.4.14 The Township may consider accepting cash-in-lieu for parking spaces from new commercial developments or commercial redevelopments if adequate parking exists in the vicinity of the proposed development.

4.4.15 Apartment units may be permitted above or behind commercial uses in the General Commercial area subject to the following criteria:

- (a) the residential use shall not detract from the prime function of the commercial designation;
- (b) amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and

- (c) parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.

## **HIGHWAY COMMERCIAL**

- 4.4.16 Business and commercial uses permitted within the Highway Commercial area are those uses located beyond the General Commercial area which require a substantial land area and provide services related to the service commercial and distribution activities of a service centre for their economic viability. Permitted uses include retail uses, offices, warehousing and distribution, automotive related retail uses, automotive, recreation vehicle and equipment sales and service uses, tourist commercial uses, commercial recreational uses, public and government uses, existing raiiling facilities and existing industrial uses. No outside storage is permitted in the required front yards of Highway Commercial uses.
- 4.4.17 The disposition of surplus CN lands along Mackenzie Avenue for reuse to highway commercial uses is supported provided these lands are redeveloped and landscaped to enhance the streetscape and gateway or entrance into the townsite of Atikokan.
- 4.4.18 The Ministry of Transportation should be consulted to ensure that the minimum safety and geometric requirements are met when lands along the Provincial Highway system are being considered for development or redevelopment.
- 4.4.19 In an effort to improve the streetscape and gateway into the townsite, the Township will encourage and continue to work with existing highway commercial uses to ensure that existing outside storage areas and new outside storage areas are adequately screened or relocated to appropriate areas on-site.
- 4.4.20 New development or redevelopment in the Highway Commercial area shall not detract from the viability of the commercial core area of the townsite of Atikokan.
- 4.4.21 Automobile traffic and adequate parking shall be a major design consideration for Highway Commercial uses. Effort shall be made to minimize the number of entrances and exits to and from roads and to segregate service and customer traffic. Where appropriate joint entrances between commercial uses shall be encouraged to minimize traffic conflicts.
- 4.4.22 Accessory dwellings may be permitted in the Highway Commercial area for a caretaker, employee or proprietor of the commercial use, subject to the following criteria:
  - (a) the residential use shall not detract from the prime function of the commercial designation;
  - (b) amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
  - (c) parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.



## **4.5 INDUSTRIAL**

4.5.1 The Industrial designation and the policies are intended to promote development through the expansion of the existing industrial base and stimulation of new industrial growth.

### **PERMITTED USES**

4.5.2 Permitted uses in the industrial designation shall include, but not be limited to manufacturing, processing, assembling, fabricating, servicing, storage of goods and raw materials, warehousing, wholesaling and service sector industries including transportation, communication, business services, government services, medical and other health laboratories. In addition, mineral exploration, mining, mineral aggregate resource extraction operations and waste disposal sites are permitted.

4.5.3 Uses that are incidental or ancillary to industrial operations, such as retailing or wholesaling, may be permitted in the Industrial area. Retailing will not be permitted to become the predominant use and will be limited in size so as not to interfere with or detract from the primary function of the Industrial area.

### **INDUSTRIAL DEVELOPMENT POLICIES**

4.5.4 Industrial uses shall have regard for the proximity of residential uses, exposure to major roadways and the degree to which the industrial use affects the physical and aesthetic characteristics of the natural environment.

4.5.5 It is the intent of the Industrial designation to:

- (a) expand the Township's existing industrial base by providing lands for continued industrial growth;
- (b) minimize the impact of industrial areas on surrounding areas, particularly on residential uses and on the natural environment; and
- (c) guide the location of new industrial uses and industrial redevelopment within the Township.

4.5.6 The Industrial area is a site plan control area in the Township and industrial uses will be subject to site plan control pursuant to Section 41 of the Planning Act.

4.5.7 The Zoning By-law shall regulate industrial uses through the establishment of appropriate industrial zone categories and shall address among other matters the need for a compatible environment for industries free from interference and restriction by other uses and the protection of adjacent uses from the effects of industry.

4.5.8 Wherever industries abut residential, institutional, recreational or other similar uses, adequate buffering will be required by measures such as landscaping, plantings, fencing and separation distances in order to minimize the impact of the industrial activity including visual appearance in accordance with the Ministry of the Environment's guidelines.

4.5.9 Industrial uses which are exposed to Highway 11, Highway 11B, Highway 622 and Mackenzie Avenue shall be developed in an attractive manner to provide a positive statement to the Township. To achieve this, building and site design shall have consideration of the following design standards:

- (a) open storage shall be prohibited unless it can be demonstrated that appropriate landscaping and screening to shield the open storage areas will not detract from the intended character of the area;
- (b) parking and loading areas will generally be restricted to side and rear yards;
- (c) all industrial activities will be encouraged to locate within wholly enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial use will be suitably screened and buffered from the Highway; and
- (d) development or redevelopment of industrial uses shall comply with the applicable standards of the Ministry of the Environment regarding emissions and noise.

4.5.10 The reuse of industrial land for alternative land uses shall be considered in accordance with the provisions of Policy 3.23.

#### **AGGREGATE EXTRACTION AND PROCESSING**

4.5.11 Aggregate extraction operations shall be allowed in the Industrial designation area subject to a Zoning By-law amendment and in accordance with the policies of 4.2.18, 4.2.19 and 4.2.20.

#### **MINERAL EXPLORATION AND MINING ACTIVITIES**

4.5.12 Mineral exploration activities shall be permitted in the Industrial designation in accordance with the policies of 4.2.22.

4.5.13 Mining operations shall be permitted in the Industrial designation in accordance with the policies of 4.2.23.

### **4.6 OPEN SPACE - RECREATION**

4.6.1 The objectives of the Open Space - Recreation designation is to also preserve and conserve those lands which are ecologically sensitive and those areas of scenic qualities and to provide community and cultural facilities to serve the Township's residents.

#### **PERMITTED USES**

4.6.2 The primary land uses for areas designated Open Space - Recreation as shown on Schedule "A" and "B" shall be for active and passive recreational uses, public and private parks, trailer parks and campgrounds, golf courses, playing fields, recreational facilities, swimming facilities, playgrounds, nature trails, marinas and wildlife management areas.

4.6.3 Small scale commercial uses which are ancillary to and support the permitted recreational and open space uses may also be permitted by amendment to the Zoning By-law.

#### **OPEN SPACE AND RECREATION DEVELOPMENT POLICIES**

4.6.4 Open space linkages which access recreational and open space uses in the Township will be encouraged.



4.6.5 This Plan recognizes the following hierarchy of parks:

- (a) Local Neighbourhood Park - a neighbourhood park approximately 0.4 to 2.0 hectares (1 - 5 acres) in size and serves the surrounding residential neighbourhood area. Facilities may include a softball diamond, soccer field, playground, wading pool and passive recreational areas; and
- (b) Community Park - is a park approximately 2.5 to 10 hectares (6 - 25 acres) in size and is often located in conjunction with a school facility and serves a larger population base than compared with a neighbourhood park. A community park may include sports fields, tennis courts, community playgrounds, washrooms, community centre, meeting room/areas and passive recreational areas.

4.6.6 The dedication of lands or acceptance of cash-in-lieu of the land dedication as a result of new development or redevelopment of land shall be in accordance with the following requirements:

- (a) the development or redevelopment of land for residential purposes shall be at a standard of 5% of that land being developed or redeveloped; and
- (b) development or redevelopment of land for commercial or industrial purposes shall be at a standard of 2% of the land being developed or redeveloped.

4.6.7 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Township and satisfy the following criteria:

- (a) be relatively level and are not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
- (b) be located within a neighbourhood or community context to provide convenient pedestrian and vehicular access;
- (c) provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, i.e. soccer fields, baseball fields, etc.;
- (d) have adequate access within the development; and
- (e) be provided with basic service requirements.

4.6.8 Development within areas designated Open Space - Recreation will compliment the natural environment.

4.6.9 In areas intended for Open Space - Recreation in the vicinity of the Atikokan River shoreline, the Township shall cooperate with the Ministry of Natural Resources or other relevant agencies, in their efforts to establish recreational facilities and a functional water oriented open space network.

4.6.10 The Township, in the design and development of parks, open space areas and recreational facilities shall take into consideration universal design considerations to encourage universal accessibility of public parks, open space and recreational facilities.

4.6.11 The Ministry of Transportation should be consulted regarding the minimum safety and geometric requirements for open space and recreational uses that are proposed to access from a Provincial Highway.

## **4.7 INSTITUTIONAL**

### **PERMITTED USES**

- 4.7.1 The permitted uses for lands designated Institutional shall include, but not be limited to hospitals, fire halls, government offices, cemeteries and large scale cultural, recreational or public institutional facilities subject to an amendment to the Zoning By-law.
- 4.7.2 Other minor institutional uses such as religious institutions, community recreational facilities, schools, day care centres and nursery schools which are related to and compatible with residential uses are permitted within the Residential designation subject to an amendment to the Zoning By-law.

### **INSTITUTIONAL DEVELOPMENT POLICIES**

- 4.7.3 It is the intent of this Plan to provide appropriately located public and private institutional uses that are accessible to the people they serve, while not having an adverse impact on surrounding land uses.
- 4.7.4 New institutional uses shall have adequate parking, be conveniently located and access onto a publically maintained road in such a manner to minimize the conflicts of vehicular and pedestrian traffic in the immediate area.
- 4.7.5 Institutional uses shall be designed as much as possible to harmonize with the character of the area within which they are located.
- 4.7.6 The Ministry of Transportation should be consulted regarding the minimum safety and geometric requirements for institutional uses that are proposed to access from a Provincial Highway.

## **4.8 ENVIRONMENTAL PROTECTION**

### **PERMITTED USES**

- 4.8.1 For lands designated Environmental Protection on Schedules "A" and "B" the permitted uses shall be existing electrical power generation and associated facilities and accessory and ancillary uses, shoreline protection works, docks, floodplain protection works, fisheries management, wildlife management, waterfowl production, forestry, mineral exploration and public and private parks.

### **ENVIRONMENTAL PROTECTION DEVELOPMENT POLICIES**

- 4.8.2 The provision of protection works or the dumping of material along the shoreline of the lakes and rivers in the Township is prohibited without the prior written approval and authorization from the Province in accordance with the provisions of the Lakes and Rivers Improvement Act, the Navigable Waters Protection Act, Beds of Navigable Waters Act and/or the Public Lands Act and the Fisheries Act.

- 4.8.3 The erection and/or construction buildings or structures, or additions thereto, or the placement or removal of fill material within or adjacent to any inland watercourse as identified as a Environmental Protection area on Schedules "A" and "B" shall only be permitted provided appropriate site mitigation against any natural hazard has occurred and there is no danger to public safety, public health or property damage to the satisfaction of the Province and the Township of Atikokan.
- 4.8.4 No plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without prior written authorization from the Province.
- 4.8.5 Within the townsite of Atikokan regulatory floodline mapping has been prepared by the Province for the Atikokan River. Development within the regulatory floodline shall be restricted and new habitable dwellings and structures are not permitted. In addition, alterations, additions or renovations to existing dwellings and structures will not be permitted.
- 4.8.6 All existing uses within the regulatory floodline of the Atikokan River are encouraged to relocate outside of the floodline to appropriately designated areas where the use is permitted.
- 4.8.7 Within the lakes and rivers existing boat docks and new docks may be permitted subject to permit approval from the Ministry of Natural Resources.
- 4.8.8 Development shall not be permitted in any hazardous site or land that could be unsafe as a result of naturally occurring processes unless it can be demonstrated that the hazard will not result in public health, safety or potential property damage, that no new hazards are created or existing hazards aggravated, and no adverse environmental impacts will result from the development to the satisfaction of the Province and Township.
- 4.8.9 Any applications to redesignate Environmental Protection lands will be carefully reviewed and shall not adversely impact on the natural environment. The Township shall, in conjunction with the Province, require the proponent of an application to submit a study prepared by a qualified environmental specialist to address the following considerations:
- (a) a description of the natural environment and existing physical characteristics, including a statement of environmental quality;
  - (b) a description of the proposed development and potential effect on the natural environment;
  - (c) a description of the costs and benefits in terms of economic, social and environmental terms of any engineering works and/or resource management practices needed to mitigate the potential effects; and
  - (d) an evaluation of alternatives including other locations for the proposal.

There is no public obligation to either change the designation of or to purchase any lands within the Environmental Protection designation, particularly if the environmental hazard would be difficult or costly to mitigate or overcome.

- 4.8.10 Environmental Protection lands may not be considered acceptable as part of a parkland dedication pursuant to the Planning Act.
- 4.8.11 Environmental Protection lands shall be placed in appropriate zone categories in the implementing Zoning By-law.

- 4.8.12 Property owners are encouraged to provide a coordinated approach to the use of land and management of water in areas subject to flooding in order to minimize social disruption in consultation with the Province.

## ***SECTION 5 – COMMUNITY SERVICES AND FACILITIES***

### **5.1 GENERAL**

- 5.1.1 The intent of this Plan is to maintain a level of public service that is appropriate for the urban and rural character and environment of the Township of Atikokan. Capacity is available within the water and sewer treatment service facilities to allow for reasonable expansion of these services within the townsite of Atikokan. It is recognized that servicing in a rural area is generally difficult and expensive to provide due to dispersed development patterns consistent with the rural character. It is not expected that there will be additional significant demands for community services or facilities above the level that presently exists.
- 5.1.2 The objectives of this section of the Plan is to provide policies that will ensure adequate services are provided that recognize the Township's financial capabilities and not place undue strain on the Township's financial resources.
- 5.1.3 The use of alternative development standards is encouraged for new development and redevelopment provided that the standard of development allows for flexibility and adaptability in urban design and housing, enhances the liveability of the proposal, provides cost efficiency in the delivery of services and supports the principles of environmental sustainability.

### **5.2 ROADS**

- 5.2.1 Safe and efficient movement of people and goods within the Township and to and from adjacent municipalities is encouraged by this Plan. The road system should safely serve the Township but should not be developed to a standard or extended beyond which would result in a burden to the residents and taxpayers of the Township.
- 5.2.2 The classification of roads in the Township as shown on Schedules "A" and "B" are as follows:
- (a) Provincial Highways - this system of roads applies to the numbered provincial highways under the jurisdiction of the Ministry of Transportation. The primary purpose of provincial highways is to move people and goods between major centers and through the Township. Access to provincial highways is restricted to allow for this primary purpose. Entrance permits are required from the Ministry of Transportation for any new entrance/access onto Highway 11. Along Highway 11B and Highway 622 access is permitted provided the entrance meets the minimum safety and geometric requirements of the Ministry of Transportation; and

- (b) Township Roads - this system of roads applies to all public roads under the jurisdiction of the Township of Atikokan. The Township is responsible for the maintenance of public roads within their jurisdiction. The primary purpose of the Township roads is to facilitate local travel and areas for development. Direct access to Township roads is normally permitted from any abutting lot provided there are adequate sight lines, suitable grades and the access will not cause traffic hazards.
- (c) Private Roads - this system roads applies to all roads that are not under the jurisdiction of the Township or the Ministry of Transportation which are privately maintained for individual access purposes or maintained by the Ministry of Natural Resources or its agents as forest access roads. The primary purpose of forest access roads is for resource extraction, management and their use by the public is governed by the policies of the Ministry of Natural Resources and may be both seasonal and year-round roads, are not always maintained and may be decommissioned.

5.2.3 Construction of a new public road, or extension of an existing public road, shall be designed and constructed to meet approved standards and the road shall be suitable for assumption into the Township's road inventory.

5.2.4 The Township of Atikokan is not responsible for the costs associated with the design and construction of new roads or the extension of existing roads. These costs are the direct responsibility of the proponent for the new road and/or road extension.

5.2.5 Unless it is clearly in the public interest, private roads will not be assumed by the Township into the Township road system. The Township is not responsible for upgrading private roads to an approved standard acceptable for assumption into the municipal road system. These costs are the direct responsibility of the owner(s) of the private road.

5.2.6 Year-round maintenance will be provided on all roads under the jurisdiction of the Township of Atikokan and the Ministry of Transportation.

5.2.7 The right-of-way width of Township roads shall generally be a minimum of 20 metres (66 feet). As a condition of development the Township may required the dedication of road widenings to achieve the 20 metres (66 feet) road right-of-way widths where they presently do no exist.

5.2.8 All new roads developed by the Township shall be planned in accordance with the appropriate Class Environmental Assessment under the Environmental Assessment Act.

### **5.3 WATER SUPPLY**

5.3.1 All new residential, commercial, institutional and industrial development within the serviced area of the townsite of Atikokan shall be connected to the municipal water supply system. Water line extensions outside of the serviced area of the townsite will only be permitted to remedy a health concern.

- 5.3.2 The public water piped distribution and treatment supply to the area outside the service area of the townsite is not considered feasible over the life of this Plan. Development in the serviced area of the townsite is encouraged to make efficient use of the water supply system.
- 5.3.3 The source of water supply in areas beyond the serviced area of the townsite of Atikokan is primarily from private individual wells. Any surface waters used for domestic purposes should be filtered and treated prior to consumption.
- 5.3.4 The replacement, upgrading or expansion of the water treatment plant will be in accordance with the requirements of the Class Environmental Assessment of the Environmental Protection Act.
- 5.3.5 The responsibility for water supply and treatment in those areas outside of the serviced area of the townsite of Atikokan will be with each property owner.
- 5.3.6 Individual private wells serve as an adequate supply of water for the rural development of the Township. It is intended that lot sizes remain large enough to ensure that private wells remain the primary source of water in the Resource Development Area of the Township.

## **5.4 SEWAGE DISPOSAL**

- 5.4.1 All new residential, commercial, institutional and industrial development within the serviced area of the townsite of Atikokan shall be connected to the municipal sanitary sewage treatment system.
- 5.4.2 The Township operates and maintains the sanitary sewage collection system. The Ministry of the Environment or its agent is responsible for the sanitary sewage treatment and distribution system in the townsite of Atikokan. All development in the serviced area of the townsite is encouraged to make efficient use of the sanitary sewage system.
- 5.4.3 The sewage treatment plant has a designed capacity to service a population of 9,067. A residual capacity of approximately 5,000 persons is available for new development in the serviced area of the townsite of Atikokan.
- 5.4.4 Any replacement, upgrading or expansion of the sewage treatment plant facilities shall be in accordance with the approved Class Environmental Assessment process under the Environmental Protection Act.
- 5.4.5 Private individual septic tanks and tile field systems are the primary means of sewage disposal in the area outside of the serviced area of the townsite of Atikokan.
- 5.4.6 Public sanitary sewage collection outside of the serviced area of the townsite of Atikokan is not considered feasible over the life of this Plan. Therefore, each individual property owner is responsible for the provision of private sanitary sewage disposal in areas outside of the serviced area of the townsite and is subject to the approval of the designated authority.

- 5.4.7 It is intended that lot sizes remain large enough and soil conditions are suitable to allow the safe and efficient operation of individual private sewage disposal systems. Private sewage disposal systems will be the primary source of sewage disposal in the Resource Development Area of the Township.
- 5.4.8 All new individual private sewage disposal systems require the approval of the designated authority.
- 5.4.9 The Township encourages the regular inspection and maintenance of private sanitary sewage disposal systems to ensure their safe operation. Any private sanitary sewage system that is not functioning properly or is failing shall be repaired or replaced in accordance with the requirements of the designated authority.

## **5.5 NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL**

- 5.5.1 A new solid waste disposal site at the eastern boundary of the Township is planned for the municipality and has been approved in accordance with the requirements of the Environmental Assessment Act. No additional solid waste disposal sites are anticipated over the life of this Plan.
- 5.5.2 If additional solid waste disposal sites are required or an expansion to the new facility is required, these sites shall be planned in accordance with the requirements of the Environmental Assessment Act and should:
- (a) avoid areas of high ground water;
  - (b) maintain an adequate separation and buffer from all existing development;
  - (c) avoid pollution of the ground water and watercourses;
  - (d) require an amendment to the Zoning By-law; and
  - (e) be approved by the Ministry of the Environment.
- 5.5.3 Liquid waste disposal sites may be permitted subject to an amendment to this Plan and provided the applicant has demonstrated to the satisfaction of the Ministry of the Environment that the facility may be established without adverse impacts on surrounding land uses and the natural environment. A Certificate of Approval from the Ministry of Environment is required for all liquid waste disposal sites.
- 5.5.4 Any reuse or redevelopment of a closed waste disposal site, within the first 25 years of its closure, requires the approval of the Ministry of the Environment.

## **5.6 RECREATION AND OPEN SPACE**

- 5.6.1 The existing recreation and open space facilities that are available to the residents of the Township are considered suitable. However, with increased population growth additional recreational and open space facilities may be required.
- 5.6.2 It is the intent to this Plan to encourage the provision of additional public and private recreational and open space facilities at appropriate locales for use by the Township residents and tourists.

5.6.3 It is the intent of this Plan, that new public and private recreational opportunities shall not provide an undue financial burden on the Township.

## **5.7 COMMUNITY FACILITIES AND SERVICES**

5.7.1 The existing services provided by the various services offered by the Fire Services department, the Ontario Provincial Police, the Township Police and other provincial agencies are considered adequate to meet the needs of the residents of the Township.

5.7.2 The existing school facilities within the Township meet the needs of the community regarding educational facilities.

# ***SECTION 6 - IMPLEMENTATION AND ADMINISTRATION***

## **6.1 THE TOWNSHIP'S ROLE IN IMPLEMENTATION AND RESPONSIBILITIES**

6.1.1 This Official Plan shall be implemented by means of the powers conferred to the Township of Atikokan by the Planning Act and other statutes which may be applicable. In particular, the Plan shall be implemented through:

- (a) the preparation, adoption and enforcement of the zoning by-laws;
- (b) the preparation, adoption and enforcement of other zoning provisions such as property maintenance and occupancy standards by-laws, interim control, temporary use by-laws and holding by-laws;
- (c) the consent and subdivision approval process;
- (d) the site plan control process; and
- (e) participation in programs funded by senior levels of government for housing, community improvement, etc.

6.1.2 With respect to official plans, the Township of Atikokan has the responsibility to:

- (a) prepare Official Plans;
- (b) review Official Plans from time to time and make amendments as necessary;
- (c) advise and secure the views of the public, local authorities, agencies and boards with respect to their Official Plan and amendments; and
- (d) review, consider and recommend local legislation, zoning by-laws and amendments, which implement the policies of the Official Plan.

## **6.2 PUBLIC PARTICIPATION**

6.2.1 The Township intends that the public be involved in the formulation and implementation of planning policies. To this end, the Township shall notify and seek the views and participation of the public prior to making decisions regarding planning amendment applications pursuant to the provisions of the Planning Act.



6.2.2 The Township may forego public notification and public meetings in connection with a technical official plan or zoning by-law amendment if such amendment will not affect the provisions and intent of the Official Plan, the Zoning By-law or amendments thereto, and may include the following matters:

- (a) altering the number and arrangement of any provision;
- (b) correcting punctuation or altering language to obtain a uniform mode of expression;
- (c) correcting clerical, grammatical, dimensions or typographical error;
- (d) affecting changes in format; and
- (e) consolidating previous amendments into the parent document.

### **6.3 STREAMLINING REVIEWS OF PLANNING APPLICATIONS**

6.3.1 The Province has implemented a "one window" planning service for provincial review and approval of certain municipal planning applications at the Ministry of Municipal Affairs and Housing. The "one window" approach will allow for a coordinated provincial input at the pre-adoption stage. The Ministry of Municipal Affairs and Housing will rely on the expertise of other ministries as needed.

6.3.2 With respect to Consent applications, at the time the Township is delegated this approval authority, the Township will undertake the municipal plan review function and will be responsible for decisions regarding individual Consent applications and where appropriate the Township will rely on the expertise of other ministries as required.

### **6.4 OFFICIAL PLAN - AMENDMENTS AND REVIEW**

6.4.1 This Official Plan is not a static document. Although it provides some degree of flexibility, the Plan's provisions will be reviewed at five year intervals, pursuant to Section 26 of The Planning Act, to ensure that the policies are relevant and appropriate, in light of changing conditions, and reflect a local interpretation of provincial policy statements.

6.4.2 All official plan amendments are subject to the approval of the Minister of Municipal Affairs and Housing until such time as official plan amendments are exempt from Provincial approval.

6.4.3 No developments or activities shall occur which contravene the intent and policies of this Plan.

6.4.4 Developments or activities deemed beneficial to the Township, but not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.

6.4.5 The Official Plan shall be amended to reflect the existing policies of the Township.

6.4.6 The Plan shall be subject to a continual review by the Township. Whenever it is necessary to refine existing policies or amend, delete or add policies based on new information or trends, this shall be done by amendment to the Official Plan.

6.4.7 Prior to considering an amendment to this Plan, the Township shall preconsult with the Ministry of Municipal Affairs and Housing and any other person or public body that Council considers to have an interest in the amendment, pursuant to Section 17(21) of the Planning Act, to ensure that provincial and local interests are considered.

## **6.5 ZONING BY-LAW**

- 6.5.1 The Zoning By-law divides the lands within the Township into a number of zones, each of which will have regulations to control the use of the lands and use, character and location of buildings and structures built upon the land. The Township may also pass a zoning by-law for the protection of a site of a significant archaeological resource.
- 6.5.2 The Zoning By-law is one of the main methods of implementing the Official Plan policies.
- 6.5.3 The Zoning By-law shall ensure that all lands within the Township are zoned for purposes compatible with the Official Plan.
- 6.5.4 All zoning by-laws and amendments to the Zoning By-law passed after this Plan is in effect shall conform to the policies of this Plan.

## **6.6 NON-CONFORMING USES**

- 6.6.1 Where a legally existing use of land does not comply with the land use designations and policies of this Plan, it may be zoned in the Zoning By-law in accordance with the existing use, after due consideration, provided that:
  - (a) the zoning will not permit any change of use or performance standard that may aggravate or cause conflicts with adjacent complying uses;
  - (b) the use of land will not constitute a danger or nuisance to surrounding uses and persons by virtue of a hazardous nature, poor property conditions, traffic generation or similar characteristics;
  - (c) there is no pollution of air or water to the extent of interfering with the ordinary enjoyment of the property and surrounding uses;
  - (d) the use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan; and
  - (e) where the existing use is discontinued for more than one (1) year, any rezoning may only take place in accordance with the policies of this Plan.
- 6.6.2 Non-conforming uses shall cease to exist in the long term.
- 6.6.3 Extensions or enlargements of the land, building or structure of a legal non-conforming use may be permitted by a minor variance to the Zoning By-law provided that:
  - (a) the proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
  - (b) the extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use.
- 6.6.4 The repair or replacement of a legal non-conforming use may be permitted provided that:
  - (a) the repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
  - (b) the repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

## **6.7 FEES**

- 6.7.1 Pursuant to Section 69 of the Planning Act, the Township of Atikokan may prescribe tariff of fees through a Tariff of Fee By-law for the processing of applications made in respect to planning matters such as Official Plan amendments, Zoning By-law amendments, Consents, Site Plan Approval or any other planning matter.
- 6.7.2 The Tariff of Fee By-law shall prescribe the fees to be charged for processing applications in respect of planning matters and shall indicate the authority to which the fee is payable.

## **6.8 MINOR VARIANCE**

- 6.8.1 The Township shall recommend minor variances for relief from regulations to the Zoning By-law, in accordance with Section 44 of the Planning Act, the rules of procedure and regulations issued by the Minister under the Planning Act and the policies of this Plan.
- 6.8.2 The Township may also recommend minor variances to other by-laws, such as Interim Control by-laws and the Property Maintenance and Occupancy Standards By-law.

## **6.9 SITE PLAN CONTROL**

- 6.9.1 The Official Plan may be implemented through the use of site plan control subject to the provisions of Section 41, of the Planning Act. All of the area affected by the Official Plan shall be deemed to be a site plan control area with the exception of single and two unit residential dwellings.
- 6.9.2 The goals of implementing site plan control are to:
- (a) ensure safe and efficient vehicular and pedestrian patterns;
  - (b) ensure that development will not have a detrimental visual impact on adjacent uses;
  - (c) ensure industrial and commercial developments do not reduce the enjoyment of adjacent lands;
  - (d) ensure parking, storage, loading facilities and garbage disposal areas are located in a manner that does not negatively impact on traffic flows or create adverse visual impacts;
  - (e) ensure on-site drainage and grading is adequately provided; and
  - (f) ensure possible natural heritage features are protected and the proposed development is protected from hazard lands.
- 6.9.3 A Site Plan Control By-law may require site plans and/or detailed drawings of a proposed development to be submitted for approval by the Township. Such site plans and/or drawings will show any or all the required information deemed necessary from the items listed in policy 5.9.4.
- 6.9.4 Prior to the issuance of a building permit, the applicant may be required to enter into a site plan agreement with the Township which may address one or more of the following matters:
- (a) widenings to any roads or highways that abut the lands subject to the application. Any proposed widenings requested must be shown on the site plan drawing;
  - (b) provision of sufficient parking, access driveways and similar matters;

- (c) the construction of walkways, ramps and pedestrian access;
- (d) proper lighting of buildings and lands;
- (e) the provision of adequate landscaping and buffering in the form of trees, shrubs, walls, and berms;
- (f) storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
- (g) the conveyance of any easements for the construction, maintenance and improvements of any drainage works, water works and other public utilities;
- (h) adequate drainage and management of surface storm water and waste water from the lands, buildings or structures; and
- (i) the location of all buildings and structures to be erected and the location of all facilities and works to be provided in conjunction with the buildings and structures.

## **6.10 HOLDING PROVISIONS**

- 6.10.1 In accordance with Section 36 of the Planning Act, the Township may approve a by-law which identifies a use of land but prohibits the actual development of this land until a later date when identified conditions have been met.
- 6.10.2 During the interim period, when the holding provision is in place, uses permitted on the affected lands are limited to existing uses only.
- 6.10.3 Prior to removal of the holding symbol, the Township must be satisfied that the following conditions have been met:
- (a) the servicing requirements for the subject lands are in place;
  - (b) that any impacts on surrounding lands can be mitigated through the use of site plan control or other design requirements; or
  - (c) that a site plan agreement has been executed in accordance with the policies of this Plan and the Planning Act.
- 6.10.3 It shall be the responsibility of the applicant requesting the removal of the holding symbol to demonstrate that the conditions for the removal of the holding symbol have been satisfied.

## **6.11 INTERIM CONTROL**

- 6.11.1 In areas where the Township wishes to review the existing land uses or establish new planning policies and where a study of land use planning policies for the area has been directed, the Township may approve an Interim Control By-law.
- 6.11.2 The Interim Control By-law restricts the use of lands to its present use until the required studies are completed, at which time the Official Plan and/or Zoning By-law may require an amendment to reflect the findings of the study and desired use.
- 6.11.3 Pursuant to Section 38 of the Planning Act the length of time the Interim Control By-law is in effect shall be specified in the by-law and shall not exceed one (1) year from the date of approval of the by-law. The Interim Control By-law may be amended to extend the period of time the by-law is in effect provided the total period of time does not exceed two (2) years from the approval of the by-law.

## **6.12 TEMPORARY USE BY-LAWS**

- 6.12.1 Pursuant to Section 39 of the Planning Act, the Township of Atikokan may approve the use of land, buildings or structures for a temporary use not considered to be of a permanent nature which will not preclude the future development of any lands for their most appropriate use, as defined by the Official Plan.
- 6.12.2 The Township shall consult with property owners and any other agencies or individuals who might have knowledge of when conditions might suit the development of the property, in accordance with the Official Plan and Zoning By-law, prior to approval of a Temporary Use By-law.
- 6.12.3 Only uses which will not create land use conflicts or disrupt the use and development of neighbouring properties shall be authorized by Temporary Use By-laws.
- 6.12.4 Notwithstanding the policies of this Plan, temporary uses that are not otherwise permitted by the Official Plan and the Zoning By-law as permanent uses, may be permitted by Temporary Use By-laws, subject to the above.

## **6.13 IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES**

- 6.13.1 The Township of Atikokan shall attempt to use all possible means to implement Community Improvement Policies and these shall include:
- (a) participation in and support for Federal and Provincial community improvement programs;
  - (b) use of authority granted under Section 28 of the Planning Act, to designate a Community Improvement Area, develop Community Improvement Plans and acquire and redevelop land;
  - (c) enforcement of the Property Maintenance and Occupancy Standards By-law; and
  - (d) encouragement of activities aimed at developing the economic viability and attractiveness of the Township;
  - (e) improvements to sidewalks and road surfaces to enable safe and comfortable travel by pedestrian, bicycles and vehicles; and
  - (f) encourage residents, business owners and service groups to participate in tree planting and street beautification and gateway programmes.
- 6.13.2 The entire Township of Atikokan shall be defined as a Community Improvement Area.

## **6.14 PARKLAND DEDICATION**

- 6.14.1 The dedication of lands or acceptance of cash-in-lieu of the land dedication for recreational purposes as a result of new development or redevelopment of land shall be in accordance with the following requirements:
- (a) the development or redevelopment of land for residential purposes may require a land dedication to the Township at a standard of 5% of that land being developed or redeveloped or cash-in-lieu based on 5% of the value of the land; and
  - (b) development or redevelopment of land for commercial or industrial purposes may require a land dedication to the Township at a standard of 2% of the land being developed or redeveloped or cash-in-lieu based on a value of 2% of the land.

6.14.2 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Township and satisfy the following criteria:

- (a) be relatively level and are not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
- (b) be located within the community context to provide convenient pedestrian and vehicular access;
- (c) provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, i.e. soccer fields, baseball fields, etc.;
- (d) have adequate access;
- (e) be provided with basic service requirements; and
- (f) be developed in accordance with the Township's parkland standards.

## **6.15 PROPERTY MAINTENANCE AND OCCUPANCY STANDARDS BY-LAW**

6.15.1 The Township is committed to the maintenance and development of a safe, healthy and attractive environment. The Township may adopt a By-law pursuant to the Building Code Act, which sets out standards for the maintenance and occupancy of property and prohibits the use of property which does not conform with the standards. The By-law shall require that all substandard properties be repaired in conformance with the By-law or be cleared of all buildings, debris, structures or refuse and left in a graded and leveled condition. The By-law shall specify the manner in which the By-law will be administered and enforced.

6.15.2 The above By-law may address the following items:

- (a) the physical condition of yards and passageways, including an accumulation of debris and rubbish and discarded motor vehicles and trailers;
- (b) the adequacy of sanitation, including drainage, waste disposal and garbage;
- (c) the physical condition of accessory buildings; and;
- (d) the physical condition of all buildings and dwellings.

6.15.3 After passing the above By-law, a Property Standards Officer shall be appointed and a Property Standards Committee shall be established.

## **6.16 APPROVAL AUTHORITY**

6.16.1 The Township of Atikokan shall encourage and seek the delegation of approval authority from the Ministry of Municipal Affairs and Housing for consents, subdivision approval and approval for official plan amendments. The delegation of approval authority from the Ministry of Municipal Affairs and Housing to the Township of Atikokan is consistent with Provincial policy to provide local autonomy and empowerment to local governments in the decision making process.

## **6.17 AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION**

- 6.17.1 From time to time, the names of various government ministries and agencies may change. In addition, responsibilities may shift from ministry to ministry. The names of the various ministries responsible for the programs, regulations and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change in name or responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or their successors, as conditions dictate.
- 6.17.2 From time to time Provincial and Federal statutes are amended and section numbers are changed. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted so as to refer to legislation as amended from time to time.

## **6.18 LAND USE BOUNDARIES**

- 6.18.1 It is intended that the boundaries of the land use designations, shown on the attached Schedule, be considered as approximate and absolute only where bounded by public roads, rivers, streams or other similar geographical barriers. Therefore, amendments to the Plan will not be required in order to make minor adjustments to the approximate land use boundaries, provided that the general intent of the policies is preserved. Such minor deviations will not be reflected on the Schedules.



SCALE  
1:30,000

# TOWNSHIP OF ATIKOKAN

## OFFICIAL PLAN

### SCHEDULE 'A'

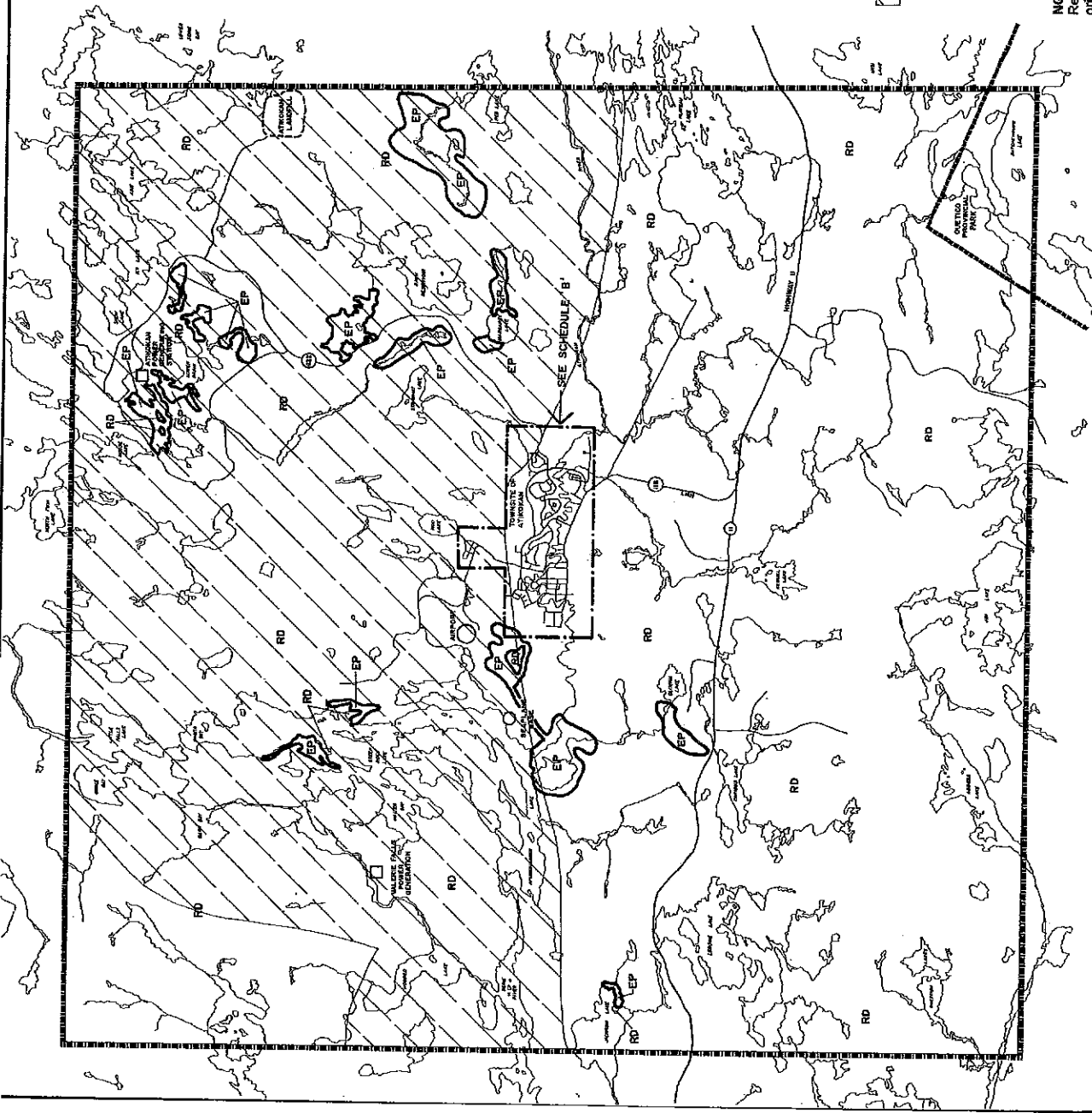
LAND USE PLAN

#### LEGEND

EP ENVIRONMENTAL PROTECTION  
RD RESOURCE DEVELOPMENT  
AREA



AREA OF MINERAL RESOURCE POTENTIAL



NOTE: This is a reduced Schedule. Reference should be made to the original full size Schedule available at the Township Offices for inspection.

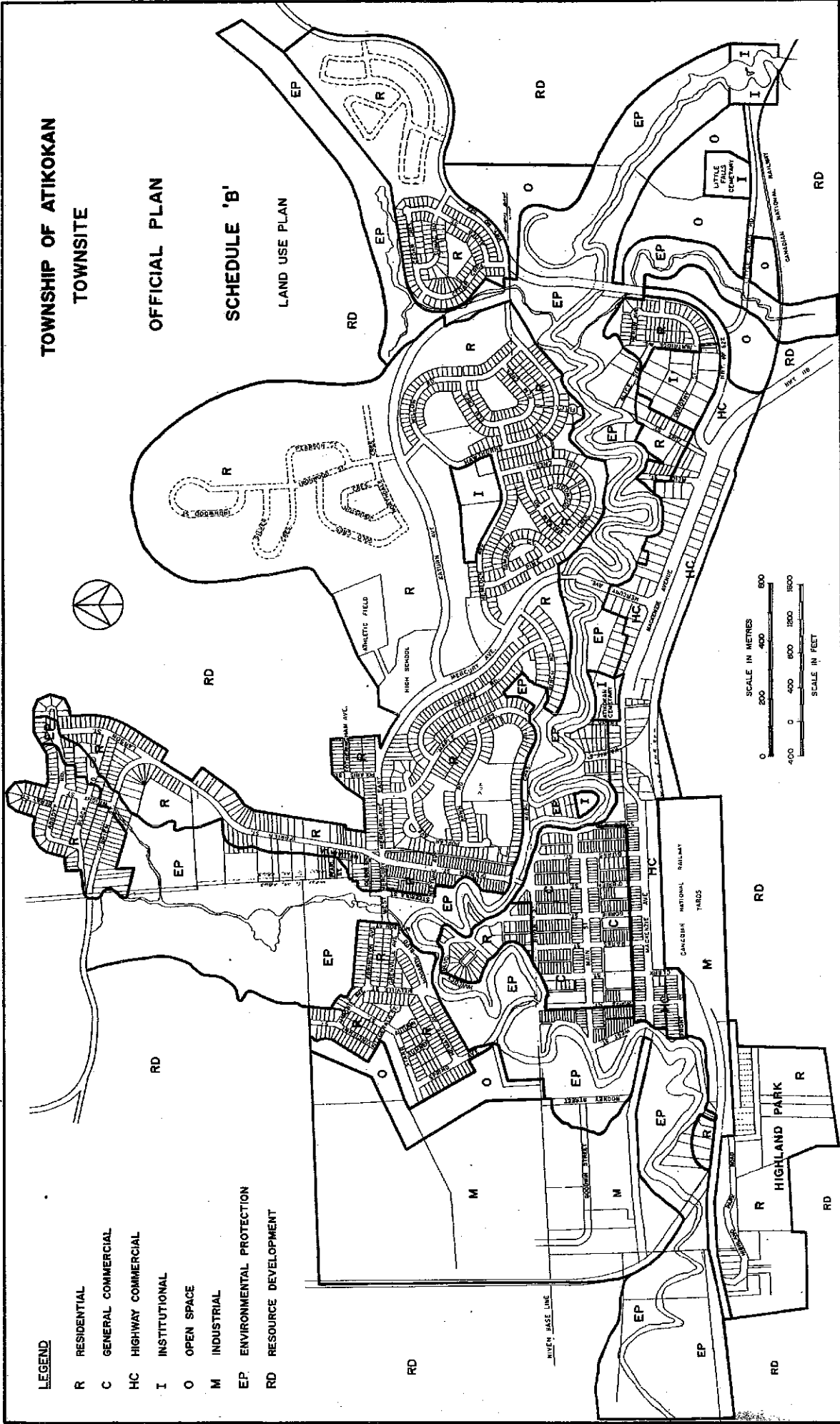


**TOWNSHIP OF ATIKOKAN  
TOWNSITE**

**OFFICIAL PLAN**

**SCHEDULE 'B'**

**LAND USE PLAN**



**LEGEND**

- R RESIDENTIAL
- C GENERAL COMMERCIAL
- HC HIGHWAY COMMERCIAL
- I INSTITUTIONAL
- O OPEN SPACE
- M INDUSTRIAL
- EP ENVIRONMENTAL PROTECTION
- RD RESOURCE DEVELOPMENT

**NOTE:** This is a reduced Schedule. Reference should be made to the original full size Schedule available at the Township Offices for inspection.

## **APPENDIX A**

### **Definitions**

**Agricultural Uses:** means the growing of crops, including nursery and horticulture crops; raising of livestock and other animals for food or fur, including poultry and fish; aquaculture; agroforestry, maple syrup production; and associated on-farm buildings and structures.

**Areas of Archaeological Potential:** means areas with medium or high potential for the discovery of archaeological resources. This potential is based on the presence of a wide range of geographic and historical features which influence past settlement. Archaeological potential is confirmed through an archaeological assessment.

**Areas of Mineral Potential:** means areas favourable to the discovery of mineral resources due to geology, the presence of known mineral deposits or other technical evidence. Areas of mineral potential are identified using acceptable scientific methodology.

**Built Heritage Resource:** means one or more buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community.

**Contaminated Site:** means land that is contaminated from past land use activities relating to, but not limiting to, industrial uses, transportation or utility purposes including municipal and Ministry of Transportation refuelling yards, waste disposal sites, and commercial uses such as gas stations, auto repair shops and lands where filling has occurred.

**Cultural Heritage Resource:** means a defined geographic area of heritage significance which has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place.

**Floodway:** means that portion of the river or stream system floodplain where development and site alteration would cause a danger to public health and safety or property damage. Uses which by their nature must be located within the floodway, flood or erosion control works or non-structural works that do not affect flood flows are permitted in the floodway.

**Garden Suite:** means a small self-contained temporary dwelling, sometimes referred to as a "granny flat", that is accessory to the main dwelling unit with its own kitchen, bathroom and living area and which is designed to be portable. The garden suite must be able to be removed when it is no longer needed.

**Hazard Lands:** means property or lands which could be unsafe for development due to naturally occurring processes or hazards. Along the shoreline of lakes, rivers and stream systems this means lands covered by water to the farthest landward limit of the flooding and erosion hazard limits and would also include unstable soils such as sensitive marine clays (leda clay) and unstable bedrock (karst topography).

**Home Occupation:** means an occupation, trade, business, profession or craft which is clearly secondary to the main use of the dwelling unit and is carried out within part of a dwelling unit and/or accessory building, including an attached or detached garage, by at least one of the permanent residents of such dwelling unit and may include, but not be limited to hairdressing, accounting/bookkeeping, medical/dental practitioner, drafting, word processing, machine and engine repairs, etc.

**Infrastructure:** means physical structures that form the foundation for development. Infrastructure includes sewage and water works, waste management systems, electrical power,

communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

**Natural Heritage Features:** means features and areas such as significant wetlands, fish habitat, significant portions of a habitat or endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest which are important for their environmental and social values as a legacy of the natural landscape of an area.

**Recreational Use:** without limiting the foregoing means the use of lands for parks, golf courses, picnic areas and recreational facilities such as swimming pools, community centres, athletic fields, tennis fields but does not include a track for racing animals, motor vehicles, snowmobiles, motorcycles or all terrain vehicles.

**Seasonal Residential:** shall mean a dwelling which is used for intermittent residential occupancy for the enjoyment of the surrounding natural environment that is not used for continuous habitation or as a permanent full time residence. Seasonal residential shall have the same corresponding meaning for cottage residential and recreational residential.

**Tourism Use:** means the use that provides a goods or services to the tourism industry and shall include campgrounds, hotels, motels, marinas, lodges, fishing camps, etc.

**Waste Management System:** means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

**Woodlands:** means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.